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Agencies in this issue—

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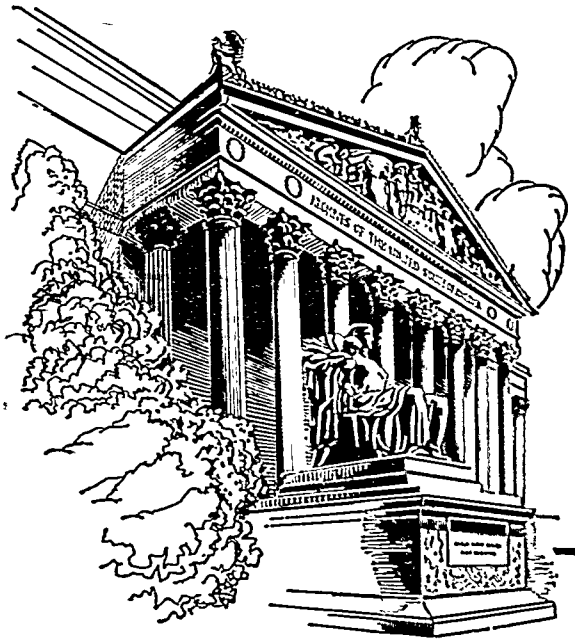

Just Released

LIST OF CFR SECTIONS AFFECTED

January–September 1967

(Codification Guide)

The List of CFR Sections Affected is published monthly, on a cumulative basis. It lists by number the titles, parts, and sections of the Code of Federal Regulations amended or otherwise affected by documents published in the FEDERAL REGISTER during 1967. Entries indicate the exact nature of all changes effected. This cumulative list of CFR sections affected is supplemented by the current lists of CFR parts affected which are carried in each daily FEDERAL REGISTER.

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

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SUBCHAPTER A—INCOME TAX

[T.D. 6926]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Date of Sale in the Case of Short Sales of Stock or Securities at a Loss

Correction

Paragraph 3 of F.R. Doc. 67-9300, 32 F.R. 11468, should read as follows:

PAR. 3. The amendment is effective for taxable years beginning after December 31, 1953, and ending after August 16, 1954, except that the special rule treating the date of entering into a short sale as the date of sale shall be applied only in the case of short sales entered into after May 2, 1967.

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 7927, Amdt. 39-506]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Model BAC 1-11 200 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring the modification of the No. 2 Auxiliary Hydraulic System Thermal Relief Value to provide a thermal relief device on British Aircraft Corp. Model BAC 1-11 200 Series airplanes was published in 32 F.R. 11882.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT. Applies to Model BAC 1-11 200 Series airplanes.

Compliance required as indicated, unless already accomplished.

To prevent failure of the Thermal Relief Valve installed in the No. 2 Auxiliary Hydraulic Power System, introduced by Modification PM 1653, and to provide an adequate thermal relief device in all airplanes, accomplish the following:

(a) For Post Modification PM 1653 airplanes, within the next 200 hours' time in service after the effective date of this AD, and thereafter at intervals not to exceed 200 hours' time in service from the last inspection, check No. 2 Auxiliary Hydraulic System Thermal Relief Valve for satisfactory functioning in accordance with BAC One-Eleven Service Bulletin 29-A-PM 2758, Issue 2, or later ARB-approved issue, or FAA-approved equivalent.

(b) For Post Modification PM 1653 airplanes, within the next 600 hours' time in service after the effective date of this AD, and thereafter at intervals not to exceed 600 hours' time in service from the date of the last inspection or when a low maximum pressure is indicated in the No. 2 Auxiliary Hydraulic System or emergency elevator power system, conduct a bench test of Thermal Relief Valve P/N AIR 91186/2 in accordance with British Aircraft Corp., Ltd., BAC One-Eleven Alert Service Bulletin No. 29-A-PM 2758, Issue 2, or later ARB-approved issue, or FAA-approved equivalent.

(c) If defective parts are found during the inspections provided for in paragraphs (a) and (b), either modify the hydraulic system in accordance with paragraph (d), or replace the defective part with a serviceable P/N AIR 91186/2 and continue the inspections required by paragraphs (a) and (b).

(d) For Post Modification PM 1653 airplanes, within the next 1,800 hours' time in service after the effective date of this AD, remove Thermal Relief Valve P/N AIR 91186/2, Conduit Guide P/N AB58A3967, and Pipe P/N AB58/48/2675, and rework Lockheed Non-Return Valve P/N 91178 to the standard of Choke Valve Assembly P/N AB48A1427 in accordance with British Aircraft Corp., Ltd., BAC One-Eleven Service Bulletin No. 29-PM 2758, Part C, or FAA-approved equivalent.

(e) For Pre Modification PM 1653 airplanes, within the next 1,800 hours' time in service after the effective date of this AD, rework Lockheed Non-Return Valve P/N AIR 91178 to the standard of Choke Valve Assembly P/N AB48A1427 in accordance with British Aircraft Corporation, Ltd., BAC One-Eleven Service Bulletin No. 29-PM 2758, Part B, or FAA-approved equivalent.

(f) The repetitive inspections required by paragraphs (a) and (b) of this AD may be discontinued when modifications in accordance with paragraph (d) of this AD have been accomplished.

This amendment becomes effective December 4, 1967.

Issued in Washington, D.C., on October 30, 1967.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-13049; Filed, Nov. 3, 1967; 8:47 a.m.]

[Docket No. 8346; Amdt. 39-507]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Model BAC 1-11 200 and 400 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring periodic inspection of the lower sidestay pin retaining bolts for cracks on British Aircraft Corp. Model BAC 1-11 200 and 400 Series airplanes was published in 32 F.R. 12066.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT. Applies to Model BAC 1-11 200 and 400 Series airplanes which incorporate Modification PM 1558 part (c).

Compliance required as indicated unless already accomplished.

To prevent fatigue damage of the lower sidestay pin retaining bolt, P/N AC43-267, accomplish the following:

(a) Within the next 200 landings after the effective date of this AD or before the accumulation of 5,000 landings, whichever occurs later, and thereafter at intervals not to exceed 5,000 landings from the last inspection, inspect the main landing gear lower sidestay retaining bolts, P/N AC43-267, for cracks, using the magnetic particle procedure or an FAA-approved equivalent, in accordance with British Aircraft Corp. BAC 1-11 Alert Service Bulletin 32-A-PM 2338, Issue 1, dated April 14, 1967, or later ARB-approved issue, or an FAA-approved equivalent.

(b) If defective retaining bolts, P/N AC43-267, are found during the inspection required by paragraph (a), before further flight replace the bolts with serviceable bolts of the same part number or new bolts, P/N AC43-399, in accordance with BAC 1-11 Service Bulletin No. 32-PM 2338 Revision 1, dated April 10, 1967, or later ARB-approved issue, or an FAA-approved equivalent.

(c) Before the accumulation of 15,000 landings, replace retaining bolts, P/N AC43-267, with serviceable bolts of the same part number or new bolts, P/N AC43-399. If bolts P/N AC43-267 are used as replacement bolts, inspect the bolts at intervals not to exceed 5,000 landings in accordance with paragraph (a) and replace the bolts at intervals not to exceed 15,000 landings.

(d) The repetitive inspections and replacements required by paragraphs (a) and (c) may be discontinued after the new bolts, P/N AC43-399, are installed. Retaining bolt P/N AC43-399 does not have a service life limitation.

(e) For the purpose of complying with this AD, subject to acceptance by the assigned FAA maintenance inspector, the number of landings may be determined by dividing each airplane's hours' time in service by the operator's fleet average time from takeoff to landing for the airplane type.

This amendment becomes effective December 4, 1967.

Issued in Washington, D.C., on October 30, 1967.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-13050; Filed, Nov. 3, 1967; 8:47 a.m.]

[Docket No. 8065; Amdt. 91-46]

PART 91—GENERAL OPERATING AND FLIGHT RULES

Noise Abatement Rules

The purpose of this amendment is to include all large and all turbine-powered airplanes within the class of aircraft to which the noise abatement rules apply, to omit the written report required from pilots by § 91.87(g), and to make minor editorial changes clarifying the intent of these rules.

The substance of this amendment was published as a notice of proposed rule making in the FEDERAL REGISTER on March 29, 1967 (32 F.R. 5559), and circulated as Notice No. 67-10. Many comments were received in response to the Notice. Generally, the comments were favorable and recommended adoption of the proposed amendments, frequently with minor changes or additional suggestions. Due consideration was given to all comments received.

A number of comments pointed out that there are several small turboprop airplanes that make less noise than reciprocating-engine airplanes of comparable size. These comments objected to classifying airplanes on the basis of a design factor that may not necessarily be associated with the problem. While it is true that some light turboprop airplanes produce less noise than reciprocating-engine airplanes of a comparable size, studies have indicated that, generally, reciprocating-engine airplanes are less objectionable from a noise standpoint than turbine-powered airplanes. It would be impracticable to specify, by regulation, which airplanes within the light turbine-powered category should comply with noise abatement regulations, and which should be excluded. Since application of this rule to all turbine-powered airplanes would not impose an undue burden on light turboprop airplanes, and since the proposed application would not compromise aviation safety, it is determined that the rule should apply to all large, and all turbine-powered airplanes.

A number of commentators, and particularly the Aircraft Owners and Pilots Association, questioned the safety inherent in a requirement to have small reciprocating-engine airplanes, including those piloted by relatively inexperienced noninstrument pilots, follow the ILS glide slope when approaching to land on an ILS runway. The ILS glide slope approach is an instrument approach procedure which a VFR pilot may not be competent to execute. It was suggested that requiring these pilots to divert their attention to instruments inside the cockpit, when their full attention should be concentrated outside the cockpit to avoid other traffic, would increase the collision hazard in the vicinity of airports and would contribute little to the noise abatement program. It was recommended that this provision be limited to large airplanes and turbine-powered airplanes. There is merit in this suggestion and the amendment as adopted herein has been modified accordingly.

The Department of the Air Force commented that it uses two traffic pattern altitudes separating conventional and turbine-powered aircraft by 500 feet. It was suggested that combining the traffic pattern altitudes would cause an unsafe mixture of fast and slow aircraft, and that the climb provision would expose aircraft on overhead approaches to departing aircraft climbing rapidly to 1,500 feet. It was requested that some latitude be allowed in the establishment of traffic patterns. These problems are primarily applicable to military airports and it would be impracticable to design the general rule to accommodate these exceptional cases. Moreover, all necessary latitude can be provided through an ATC authorization. Therefore, it is determined that a change in the proposed rules is not required to satisfy the military requirements.

As proposed in the notice, § 91.87(f)(2) prescribes certain climb requirements applicable "unless otherwise required by noise abatement departure procedures * * *." Since many departure procedures are not related to noise abatement, and since the present language of § 91.87(f)(2) refers to "departure procedures," no purpose is served by the change of language and the phrase as it presently appears in the part is retained.

The Airport Operators Council International opposed the proposed rescission of the requirement for a written pilot report when a pilot uses a runway other than the assigned preferential runway, feeling that no portion of the preferential runway system procedures should be relaxed. However, rescission of the reporting requirement was generally supported by other comments, and, for the reasons stated in the notice § 91.87(g) is amended accordingly. In addition, editorial changes have been made in the section to more clearly identify this runway use provision as a noise abatement measure.

In consideration of the foregoing, paragraphs (d), (f)(2), and (g) of § 91.87 of the Federal Aviation Regulations are amended, effective December 4, 1967, as hereinafter set forth.

§ 91.87 Operation at airports with operating control towers.

* * * * *

(d) *Minimum altitudes.* When operating to an airport with an operating control tower, each pilot of—

(1) A turbine-powered airplane or a large airplane shall, unless otherwise required by the applicable distance from cloud criteria, enter the airport traffic area at an altitude of at least 1,500 feet above the surface of the airport and maintain at least 1,500 feet within the airport traffic area, including the traffic pattern, until further descent is required for a safe landing;

(2) A turbine-powered airplane or a large airplane approaching to land on a runway being served by an ILS, shall, if the airplane is ILS equipped, fly that airplane at an altitude at or above the glide slope between the outer marker (or the point of interception with the glide slope, if compliance with the applicable distance from clouds criteria requires interception closer in) and the middle marker; and,

(3) An airplane approaching to land on a runway served by a visual approach slope indicator, shall maintain an altitude at or above the glide slope until a lower altitude is necessary for a safe landing.

However, subparagraphs (2) and (3) of this paragraph do not prohibit normal bracketing maneuvers above or below the glide slope that are conducted for the purpose of remaining on the glide slope.

* * * * *

(f) * * *

(2) Unless otherwise required by the departure procedure or the applicable distance from clouds criteria, each pilot of a turbine-powered airplane and each pilot of a large airplane shall climb to an altitude of 1,500 feet above the surface as rapidly as practicable.

(g) *Noise abatement runway system.* When landing or taking off from an airport with an operating control tower, and for which a formal runway use program has been established by the FAA, each pilot of a turbine-powered airplane and each pilot of a large airplane, assigned a noise abatement runway by ATC, shall use that runway. However, each pilot has final authority and responsibility for the safe operation of his airplane and if he determines in the interest of safety that another runway should be used, ATC will assign that runway (air traffic and other conditions permitting).

* * * * *

(Sec. 307 and 313(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on October 30, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-13051; Filed, Nov. 3, 1967; 8:47 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 8491, Amdt. 567]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
All directions	AWK RBn	Direct	1500	T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				A-dn	800-2	800-2	800-2

Procedure turn N side of crs, 095° Outbnd, 275° Inbnd, 1500' within 10 miles.
Minimum altitude over facility on final approach crs, 700'. Descend to 514' on crs, 275° within 2.2 miles.
Contact must be established with shoreline 2.2 miles W of facility and flight to airport made under visual conditions.
Crs and distance, facility to airport, 190°—1.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, 2.2 miles W of AWK RBn, climb to 1500' on crs, 275° within 20 miles.
MSA within 25 miles of facility: 000°–360°—1500'.

State, Wake Island; Airport name, Wake Island; Elev., 14'; Fac. Class., HHW; Ident., AWK; Procedure No. NDB(ADF)-1, Amdt. Orig.; Eff. date, 4 Nov. 67

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
All directions	XWI VORTAC	Direct	1500	T-dn	300-1	300-1	200-½
R 180°, XWI VORTAC clockwise	R 280°, XWI VORTAC	Via 10-mile DME Arc.	1500	C-dn	500-1	500-1	500-1½
				S-dn-10	500-1	500-1	500—1
R 360°, XWI VORTAC counterclockwise	R 280°, XWI VORTAC	Via 10-mile DME Arc.	1500	A-dn	800-2	800-2	800-2
10-mile DME Fix R 280°, XWI VORTAC	XWI VORTAC (final)	Direct	514				

Procedure turn S side of crs, 280° Outbnd, 100° Inbnd, 1500' within 10 miles.
Minimum altitude over facility on final approach crs, 514'.
Facility on airport. Crs and distance, breakoff point to runway, 096°—0.2 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over XWI VORTAC, climb to 1500' on XWI R 100° within 20 miles.
MSA within 25 miles of facility: 000°–360°—1500'.

State, Wake Island; Airport name, Wake Island; Elev., 14'; Fac. Class., VORTAC; Ident., XWI; Procedure No. VOR Runway 19, Amdt. Orig.; Eff. date, 4 Nov. 67

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
All directions	XWI VORTAC	Direct	1500	T-dn	300-1	300-1	200-½
R 360° XWI VORTAC clockwise	R 092° XWI VORTAC	Via 10-mile DME Arc.	1500	C-dn	500-1	500-1	500-1½
				S-dn-28	500-1	500-1	500-1
R 180° XWI VORTAC counterclockwise	R 092° XWI VORTAC	Via 10-mile DME Arc.	1500	A-dn	800-2	800-2	800-2
10-mile DME Fix, R 092° XWI VORTAC	XWI VORTAC (final)	Direct	514				

Procedure turn N side of crs, 092° Outbnd, 272° Inbnd, 1500' within 10 miles.
Minimum altitude over facility on final approach crs, 514'.
Facility on airport. Crs and distance, breakoff point to runway, 276°—0.2 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over XWI VORTAC, climb to 1500' on XWI R 272° within 20 miles.
MSA within 25 miles of facility: 000°-360°—1500'.

State, Wake Island; Airport name, Wake Island; Elev., 14'; Fac. Class., VORTAC; Ident., XWI; Procedure No. VOR Runway 28, Amdt. Orig.; Eff. date, 4 Nov. 67

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601, of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on October 23, 1967.

W. E. ROGERS,
Acting Director, Flight Standards Service.

[F.R. Doc. 67-12643; Filed, Nov. 3, 1967; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

SUBCHAPTER D—TRADE REGULATION RULES

PART 413—FAILURE TO DISCLOSE THAT SKIN IRRITATION MAY RESULT FROM WASHING OR HANDLING GLASS FIBER CURTAINS AND DRAPERIES AND GLASS FIBER CURTAIN AND DRAPERY FABRICS

Extension of Effective Date

The Commission has extended the effective date of the Trade Regulation Rule Relating to Failure To Disclose That Skin Irritation May Result From Washing or Handling Glass Fiber Curtains and Draperies and Glass Fiber Curtain and Drapery Fabrics from January 2, 1968 to July 1, 1968.

Approved: November 1, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 67-13137; Filed, Nov. 3, 1967; 8:50 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 67-258]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

Public International Organizations Entitled to Free-Entry Privilege

By Executive Order 11372, signed September 18, 1967, the President has designated the Lake Ontario Claims Tribunal as an international organization entitled to enjoy certain privileges, exemptions, and immunities conferred by the International Organizations Immunities Act of December 29, 1945.

The list of public international organizations currently entitled to free-entry privileges in § 10.30a(a) of the Customs Regulations is, therefore, amended by inserting in the proper alphabetical order the following:

§ 10.30a Organizations included.

(a) * * *

Organization	Executive order	Date
* * *	* * *	* * *
Lake Ontario Claims Tribunal.	11372	Sept. 18, 1967
* * *	* * *	* * *

(80 Stat. 379, R.S. 251; 5 U.S.C. 301, 19 U.S.C. 66)

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

Approved: October 26, 1967.

TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 67-10323; Filed, Nov. 3, 1967; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

O,O-diethyl O-(2-isopropyl-4-methyl-6-pyrimidinyl) Phosphorothioate

A petition (PP 7F0576) was filed with the Food and Drug Administration by Geigy Chemical Corp., Ardsley, N.Y. 10502, proposing the establishment of tolerances for residues of the insecticide O,O-diethyl O-(2-isopropyl-4-methyl-6-pyrimidinyl) phosphorothioate in or on raw agricultural commodities as follows: Bananas at 0.2 part per million; and asparagus, safflower, sunflower, and watercress at 0.75 part per million. The petitioner also proposes that the tolerances on grapefruit, oranges, and lemons be extended to all citrus.

Subsequently the petitioner withdrew the request for tolerances regarding asparagus, safflower, and sunflower and specified that in the case of bananas not more than 0.1 part per million of the insecticide shall be present in the pulp after peel is removed.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which the tolerances are being established.

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerances established in this order will protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated by him to the Commissioner (21 CFR 2.120), § 120.153 is amended by revising the eighth paragraph and by adding a new paragraph to the end of the section, as follows:

§ 120.153 Tolerances for residues of *O,O*-diethyl *O*-(2-isopropyl-4-methyl-6-pyrimidinyl) phosphorothioate.

* * * * *

0.75 part per million in or on apples, apricots, beans (snap), beet roots, beet tops, blackberries, blueberries, boysenberries, broccoli, cabbage, carrots, cauliflower, celery, cherries, citrus, collards, corn (kernels and cob with husks removed), cranberries, cucumbers, dewberries, endive (escarole), figs, grapes,

hops, kale, lettuce, lima beans, loganberries, melons, nectarines, onions, parsley, parsnips, peaches, pears, peas with pods (determined on peas after removing any shell present when marketed), peppers, pineapples, plums (fresh prunes), radishes, raspberries, sorghum grain, spinach, strawberries, sugarbeet roots, summer squash, Swiss chard, tomatoes, turnip roots, turnip tops, watercress, winter squash.

* * * * *

0.2 part per million in or on bananas (of which not more than 0.1 part per million shall be present in the pulp after peel is removed).

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: October 30, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-13065; Filed, Nov. 3, 1967; 8:48 a.m.]

SUBCHAPTER C—DRUGS

PART 148c—COLISTIN

Sodium Colistimethate for Injection

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120), § 148c.5(b)(3) is revised to read as follows to effect a technical improvement in the pyrogens test for the subject antibiotic drug:

§ 148c.5 Sodium colistimethate for injection.

* * * * *

(b) * * *

(3) *Pyrogens.* Proceed as directed in § 141a.3 of this chapter, using a test dose of 1.0 milliliter per kilogram of a solution in sterile, pyrogen-free distilled water containing 5 milligrams of colistin per milliliter.

* * * * *

This order merely effects a technical change in the pyrogens test for the subject antibiotic drug and raises no points of controversy; therefore, notice and public procedure are not prerequisites to this promulgation.

Effective date. This order shall become effective 30 days from its date of publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: October 30, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-13066; Filed, Nov. 3, 1967; 8:48 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

SUBCHAPTER A—GENERAL

PART 200—INTRODUCTION

Subpart D—Delegations of Basic Authority and Functions

MISCELLANEOUS AMENDMENTS

1. In Part 200 in the Table of Contents § 200.81 is deleted.

2. In § 200.77 paragraphs (a) and (c) are amended and paragraph (l) is revoked as follows:

§ 200.77 Assistant Commissioner-Comptroller and Deputy.

* * * * *

(a) To be responsible for coordination and general supervision of the Procedures Branch, the Financial Reports Branch, the Accounting Branch, the Insurance Branch, and the Fiscal Branch.

* * * * *

(c) To devise and establish insurance fiscal servicing, accounting and fiscal procedures and to administer the fiscal policies and activities of FHA; and to provide or cause to be provided under his direction technical advice and guidance to all organizational elements of the FHA in the fields of accounting, insurance fiscal servicing and fiscal matters.

* * * * *

(l) [Revoked]

3. In Part 200 § 200.81 is revoked as follows:

§ 200.81 Data Processing Officer and Deputy. [Revoked]

(Sec. 2, 48 Stat. 1246, as amended; sec. 211, 52 Stat. 23, as amended; sec. 607, 55 Stat. 61, as amended; sec. 712, 62 Stat. 1281, as amended; sec. 907, 65 Stat. 301, as amended; sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f)

Issued at Washington, D.C., October 31, 1967.

PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.

[F.R. Doc. 67-13056; Filed, Nov. 3, 1967; 8:48 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order 385-67]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Transfer of Functions Relating to Gifts and Bequests to the U.S. to Civil Division

By virtue of the authority vested in me by sections 509 and 510 of Title 28 and section 301 of Title 5 of the United States Code, Part 0 of Chapter I of Title 28 of the Code of Federal Regulations is amended as follows:

1. Paragraph (d) of § 0.25 of Subpart E is revoked.

§ 0.25 General functions.

* * * * *

(d) [Revoked]

* * * * *

2. A new paragraph (e) is added after paragraph (d) in § 0.45 of Subpart I to read as follows:

§ 0.45 General functions.

* * * * *

(e) Gifts and Bequests—handling matters arising out of devises and bequests and inter vivos gifts to the United States, except determinations as to the validity of title to any lands involved and litigation pertaining to such determinations.

* * * * *

Dated: October 30, 1967.

RAMSEY CLARK,
Attorney General.

[F.R. Doc. 67-13055; Filed, Nov. 3, 1967; 8:47 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 526—INDUSTRIES OF A SEASONAL NATURE AND INDUSTRIES WITH MARKED SEASONAL PEAKS OF OPERATION

PART 786—MISCELLANEOUS EXEMPTIONS

Miscellaneous Amendments

Pursuant to the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A (15 F.R. 3290), I hereby

amend 29 CFR Parts 526 and 786, by revising §§ 526.11, 526.12, 786.50, 786.100, 786.200, and 786.250, as set forth below.

The provisions of 5 U.S.C. 553 which require notice of proposed rule making, opportunity for public participation, and delay in effective date are not applicable because these amendments merely make nonsubstantive corrections, and adapt the interpretative language and statements of general enforcement policy in the current Part 786 to the provisions of the Fair Labor Standards Amendments of 1966 (P.L. 89-601). In addition, and for the same reason, good cause is found to provide no delay in the effective date; delay would serve no useful purpose here. Accordingly, the amendments are effective immediately.

1. Section 526.11 is revised to read as follows:

§ 526.11 Industries characterized by annually recurring seasonal peaks of operations.

The following industries as defined in the FEDERAL REGISTER citation given for each, but no other industries, have been found to be engaged in the operations on perishable agricultural commodities and to have the seasonal characteristics required for exemption under section 7(d)(1)(a) of the Fair Labor Standards Act of 1938, as amended, but have not been found to qualify for the exemption in section 7(c) of such Act. An employer operating an establishment in an enterprise in any such industry in which operations named in the finding are carried on may select the workweeks (not more than 14) in each calendar year in which the partial overtime exemption provided by section 7(d) will be applied to employees in such establishment. (See § 516.19 of this chapter.) During each of the workweeks thus selected, any employee may be employed by an employer in such establishment without payment of the overtime compensation prescribed by section 7(a) of the Act, if such employee is not employed in any nonexempt work outside the scope of the industry and is paid overtime compensation at a rate not less than one and one-half times the regular rate at which he is employed for all hours worked in such workweek in excess of 10 in any workday or in excess of 48 in the workweek, whichever is greater. No employer, however, is permitted to employ any employee under the special provisions of section 7(d) in any industry in the following list for more than 14 workweeks in any calendar year.

Industry	Date of finding	Citation
Dairy products industry	July 17, 1967	32 F.R. 10649.
Cottonseed processing industry.	Aug. 29, 1967	32 F.R. 12675.

2. Section 526.12 is revised to read as follows:

§ 526.12 Seasonal industries engaged in certain operations on perishable agricultural or horticultural commodities.

The following industries as defined in the FEDERAL REGISTER citations given for each, but no other industries, have been found to be seasonal in nature and engaged in certain operations on perishable agricultural or horticultural commodities in their raw or natural state so that both the partial exemptions from the maximum hours requirement of the Fair Labor Standards Act of 1938 provided in its sections 7(c) and 7(d) apply to them. An employer operating an establishment in an enterprise in any such industry in which operations named in the finding are carried on may select the workweeks (not more than 10 for each exemption, or a total of 20 for both exemptions) in each calendar year in which the partial overtime exemptions provided by sections 7(c) and 7(d) will be applied in such establishment. (See §§ 516.18 and 516.19 of this chapter.) During each of the 20 workweeks thus selected, any employee may be employed by an employer in such establishment without payment of the overtime compensation prescribed by section 7(a) of the Act, if such employee is not employed in any nonexempt work outside the scope of the industry and is paid overtime compensation at a rate not less than one and one-half times the regular rate at which he is employed for all hours worked in such workweek in excess of 10 in any workday or in excess of 50 in not more than 10 of the workweeks which may be attributed to section 7(c), or in excess of 10 hours in any workday or in excess of 48 hours in the workweek in not more than 10 of the workweeks which may be attributed to section 7(d), whichever number of hours attributed to daily or weekly overtime work is greater. No employer, however, is permitted to employ any employee under the special provisions of sections 7(c) and 7(d) combined in any industry in the following list for more than 20 workweeks in any calendar year.

Industry	Date of finding	Citation
Sugar cane processing and milling in the State of Florida	May 15, 1967	32 F.R. 7390.
Fresh fruit and vegetable industry	June 30, 1967	32 F.R. 9811.
Puerto Rican sugarcane processing and milling industry	Sept. 26, 1967	32 F.R. 13767.

3. Section 786.50 is revised to read as follows:

§ 786.50 Enforcement policy concerning performance of nonexempt work.

The Division has taken the position that the exemption provided by section 13(b)(7) of the Fair Labor Standards Act will be deemed applicable even though some nonexempt work (that is, work of a nature other than that which characterizes the exemption) is performed by the employee during the workweek, unless the amount of such nonexempt work is substantial. For enforcement purposes, the amount of nonexempt work will be considered substantial if it occupies more than 20 percent of the time worked by the employee during the workweek.

4. Section 786.100 is revised to read as follows:

§ 786.100 Enforcement policy concerning performance of nonexempt work.

The Division has taken the position that the exemption provided by section 13(a)(10) of the Fair Labor Standards Act will be deemed applicable even though some nonexempt work (that is, work of a nature other than that which characterizes the exemption) is performed by the employee during the workweek, unless the amount of such nonexempt work is substantial. For enforcement purposes, the amount of nonexempt work will be considered substantial if it occupies more than 20 percent of the time worked by the employee during the workweek.

5. Section 786.200 is revised to read as follows:

§ 786.200 Enforcement policy concerning performance of nonexempt work.

The Division has taken the position that the exemption provided by section 13(b)(17) of the Fair Labor Standards Act will be deemed applicable even though some nonexempt work (that is, work of a nature other than that which characterizes the exemption) is performed by the employee during the workweek, unless the amount of such nonexempt work is substantial. For enforcement purposes, the amount of nonexempt work will be considered substantial if it occupies more than 20 percent of the time worked by the employee during the workweek.

6. Section 786.250 is revised to read as follows:

§ 786.250 Enforcement policy.

The exemption provided by paragraph 13(a)(8) of the Fair Labor Standards Act of 1938 applies to "any employee employed in connection with the publication of any weekly, semiweekly, or daily newspaper with a circulation of less than four thousand the major part of which circulation is within the county where published or counties contiguous thereto." For the purpose of enforcement, it is the Divisions' position that such an employee is within the exemption even though he is also engaged in job printing activities, if less than 50 percent of the employee's worktime during the workweek is spent in job printing work, some of which is subject to the Act. If none of the job printing activities are within the general coverage of the Act, the exemption applies even if the job printing activities equal or exceed 50 percent of the employee's worktime. However, this exemption is not applicable if the employee spends 50 percent or more of his worktime in a workweek on job printing, any portion of which is within the general coverage of the Act on an individual or enterprise basis.

(29 U.S.C. 201 et seq.); Reorganization Plan No. 6 of 1950 (3 CFR, 1949-53 Comp., p. 1004), General Order 45-A (15 F.R. 3290)

Signed at Washington, D.C., this 31st day of October 1967.

CLARENCE T. LUNDQUIST,
Administrator, Wage and Hour and Public Contracts Divisions, U.S. Department of Labor.

[F.R. Doc. 67-13083; Filed, Nov. 3, 1967; 8:50 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 6—Department of State

[Departmental Reg. 108.569]

PART 6-75—DELEGATIONS OF PROCUREMENT AUTHORITY

Subpart 6-75.2 Delegations

MISCELLANEOUS AMENDMENTS

Subpart 6-75.2 is amended as follows:

1. In § 6-75.201 paragraph (b) is revised to read as follows:

§ 6-75.201 General delegation—Supply and Transportation Services Division.

* * * * *

(b) The authority to authorize the publication of paid advertisements, notices, and proposals within the United States is delegated to the Chief, Supply and Transportation Services Division. This authority may not be redelegated.

2. In § 6-75.205 paragraph (a) is revised to read as follows:

§ 6-75.205 Diplomatic and consular posts located outside the United States.

(a) The authority to execute, award, and administer contracts for the expenditure of funds involved in the acquisition of supplies, equipment, publications and nonpersonal services; to sell personal property; and to authorize the publication of paid advertisements, notices and proposals, is delegated to the Principal Officer, Administrative Officer and General Services Officer.

* * * * *

3. Subpart 6-75.2 is amended by adding a new § 6-75.209 reading as follows:

§ 6-75.209 Office of Overseas Schools.

The authority to execute, award and administer contracts for the overseas schools assistance activities of the Department is delegated to the Director.

(Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 4, 63 Stat. 111, 22 U.S.C. 2658)

Dated: October 20, 1967.

[SEAL] IDAR RIMESTAD,
Deputy Under Secretary for Administration.

[F.R. Doc. 67-13048; Filed, Nov. 3, 1967; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4302]

[Oregon 013665]

OREGON

Withdrawal for National Forest Recreation Area, Partial Revocation of Public Land Order No. 3634

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

MT. HOOD NATIONAL FOREST

WILLAMETTE MERIDIAN

Bear Paw Forest Camp

T. 5 S., R. 9 E.,
Sec. 3, SE¼SW¼SE¼SE¼ and SW¼SE¼SE¼SE¼;
Sec. 10, W½NE¼NE¼NE¼ and E½NW¼NE¼NE¼.

The areas described aggregate approximately 15 acres in Clackamas County.

2. Public Land Order No. 3634 of April 15, 1965, withdrawing national forest lands as administrative sites and recreation areas, is hereby revoked so far as it affects the following described lands:

MT. HOOD NATIONAL FOREST

WILLAMETTE MERIDIAN

Bear Paw Forest Camp

T. 5 S., R. 10 E.,
Sec. 3, SE¼SW¼SE¼SE¼ and SW¼SE¼SE¼SE¼;
Sec. 10, W½NE¼NE¼NE¼ and E½NW¼NE¼NE¼.

The areas described aggregate approximately 15 acres in Clackamas County.

3. The withdrawal made by paragraph 1 of the order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

4. At 10 a.m. on December 6, 1967, the lands released from withdrawal by paragraph 2 above, shall be open to such forms of disposition as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

OCTOBER 31, 1967.

[F.R. Doc. 67-13033; Filed, Nov. 3, 1967; 8:46 a.m.]

[Public Land Order 4303]

[Anchorage AA-576]

ALASKA

Exclusion of Lands From Chugach and Tongass National Forests

By virtue of the authority vested in the President by Chapter 2, section 1 of the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The following described tracts of land in Alaska, occupied as homesites, are hereby excluded from the Chugach and Tongass National Forests and restored, subject to valid existing rights, for purchase as homesites under section 10 of the act of May 14, 1898 (30 Stat. 413), as amended by the act of May 26, 1934 (48 Stat. 809; 48 U.S.C. 461):

CHUGACH NATIONAL FOREST

U.S. SURVEY 2528

Latitude 60°28'23" N., longitude 149°21'00" W., lot 7 (Homesite No. 157, Trail Lake Group) 3.96 acres.

TONGASS NATIONAL FOREST

U.S. SURVEY 2414

Latitude 58°06'24" N., longitude 135°27'00" W.

(a) Lot 4 (Homesite No. 1151, Gartina Game Creek Group) 1.19 acres.

(b) Lot 10 (Homesite No. 1147, Gartina Game Creek Group) 3.12 acres.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

OCTOBER 31, 1967.

[F.R. Doc. 67-13034; Filed, Nov. 3, 1967; 8:46 a.m.]

[Public Land Order 4304]

[Blackfoot 043852]

IDAHO

Release of Lands in Reservoir District From Lien For Irrigation Charges

By virtue of the authority contained in section 3 of the act of August 11, 1916 (39 Stat. 507; 43 U.S.C. 625), and at the request of the Board of Directors of the American Falls Reservoir District No. 2, it is ordered as follows:

1. The following described lands, designated in a statement marked "Exhibit G" attached to and made part of a contract dated September 21, 1927, between the District and the United States, as being subject to the provisions of the said act of August 11, 1916, are hereby deleted from said "Exhibit G":

BOISE MERIDIAN

T. 7 S., R. 18 E.,
Sec. 10, E½SW¼, SE¼;
Sec. 11, W½SW¼.
T. 9 S., R. 20 E.,
Sec. 8, S½SW¼, W½SE¼;
Sec. 17, E½W½.

The areas described aggregate 640 acres.

2. The said contract and the said Exhibit G are hereby amended to conform with the deletion made by this order, and the lands above described shall no longer be subject to the provisions of the laws of the State of Idaho relating to the organization, government and regulations of irrigation districts, and shall hereafter be subject to the general operation of the public land laws free of the lien for irrigation charges provided by the said act of August 11, 1916, subject to valid existing rights and the provisions of existing withdrawals.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

OCTOBER 31, 1967.

[F.R. Doc. 67-13035; Filed, Nov. 3, 1967; 8:46 a.m.]

[Public Land Order 4305]

[Oregon 1572]

OREGON

Withdrawal for Public Recreation Site

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described lands which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for protection of public recreation values:

WILLAMETTE MERIDIAN

ALSEA FALLS RECREATION SITE ADDITION

T. 14 S., R. 7 W.,
Sec. 25, W½NE¼SW¼NE¼, SE¼SW¼NW¼, W½NW¼NE¼SW¼, SW¼NE¼SW¼, NW¼SW¼, NE¼SW¼SW¼, E½SE¼SW¼SW¼, SE¼SW¼, SW¼NW¼SW¼SE¼, and W½SW¼SW¼SE¼.

The areas described aggregate 132.5 acres in Benton County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

OCTOBER 31, 1967.

[F.R. Doc. 67-13036; Filed, Nov. 3, 1967; 8:46 a.m.]

[Public Land Order 4306]

[Utah 2930]

UTAH

Addition to National Forest

By virtue of the authority vested in the President by section 24 of the act of March 3, 1891 (26 Stat. 1103; 16 U.S.C. 471), and section 1 of the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Subject to valid existing rights, the following described public lands are hereby added to and made a part of the Fishlake National Forest, and hereafter shall be subject to all laws and regulations applicable thereto, and the boundaries of said forest are adjusted accordingly:

SALT LAKE MERIDIAN

T. 23 S., R. 3 E.,
Sec. 11, E½E½, S½SW¼, SW¼SE¼.

The areas described aggregate 280 acres in Sevier County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

OCTOBER 31, 1967.

[F.R. Doc. 67-13037; Filed, Nov. 3, 1967; 8:46 a.m.]

[Public Land Order 4307]

[Arizona 07159]

ARIZONA

Partial Revocation of Public Land Order No. 3263

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Public Land Order No. 3263 of October 29, 1963, withdrawing the minerals in national forest lands from prospecting, location, entry, and purchase under the mining laws of the United States in aid of programs of the Forest Service, Department of Agriculture, for utilization of the surface as administrative sites, recreation areas, campgrounds, and for other program purposes, and for protection of forest roads and highways and adjacent roadside zones, is hereby revoked so far as it affects the following described lands:

GILA AND SALT RIVER MERIDIAN

APACHE NATIONAL FOREST

U.S. Highway No. 666—Roadside Zone

A strip of land 200 feet from the centerline on each side of U.S. Highway No. 666, where it traverses forest land, through the following legal subdivisions:

T. 3 N., R. 29 E.,
Secs. 28 and 33.

The area described contains approximately 50 acres in Greenlee County.

The land remains withdrawn by Public Land Order No. 1583 of February 5, 1958, for a national forest roadside zone.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

OCTOBER 31, 1967.

[F.R. Doc. 67-13080; Filed, Nov. 3, 1967; 8:49 a.m.]

[Public Land Order 4308]

[Sacramento 079934]

CALIFORNIA

Withdrawal For Forest Service Research Natural Area and Experimental Forest

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

MOUNT DIABLO MERIDIAN

MODOC NATIONAL FOREST

Burnt Lava Flow Virgin Area

T. 42 N., R. 3 E. (unsurveyed),
Sec. 12, SE¼NE¼SE¼, SE¼SW¼SE¼, and SE¼SE¼;
Sec. 13, N½NE¼.
T. 42 N., R. 4 E.,
Sec. 3, SW¼ of lot 4, SW¼NW¼, SW¼SE¼NW¼, W½NE¼SW¼, SE¼NE¼SW¼, W½SW¼, and SE¼SW¼;
Sec. 4, lots 2, 3, and 4, NW¼ of lot 1, S½ of lot 1, S½N½, and S½;
Sec. 5, lots 1, 2, and 4, S½ of lot 3, S½N½, and S½;
Sec. 6, lot 1, SE¼NE¼, and SE¼;
Sec. 7, lots 3 and 4, E½NW¼, E½SW¼, and E½;
Secs. 8 and 9;
Sec. 10, W½W½NE¼, W½, and W½SE¼;
Sec. 14, S½NW¼NW¼, SW¼NW¼, W½SE¼NW¼, and NW¼SW¼;
Secs. 15, 16, and 17;
Sec. 18, lots 1, 2, and 3, E½NW¼, NE¼SW¼, and E½;
Sec. 19, NE¼NE¼;
Sec. 20, NE¼, NW¼NW¼, E½NW¼, N½SE¼, and SE¼SE¼;
Sec. 21;
Sec. 22, N½, SW¼, NW¼NE¼SE¼, NW¼SE¼, and E½E½SE¼;
Sec. 23, W½W½;
Sec. 26, NW¼NW¼;
Sec. 27, NW¼ and NE¼SW¼;
Sec. 28, N½NE¼, N½NE¼NW¼, and NE¼NW¼NW¼.
T. 43 N., R. 4 E. (unsurveyed),
Sec. 32, SE¼SE¼SE¼;
Sec. 33, SW¼SW¼, S½SE¼SW¼, and S½SW¼SE¼.

The areas described aggregate approximately 8,908 acres in Siskiyou County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

OCTOBER 31, 1967.

[F.R. Doc. 67-13081; Filed, Nov. 3, 1967; 8:50 a.m.]

[Public Land Order 4309]

[Montana 072530]

MONTANA

Withdrawal for National Forest Recreation Areas

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights and the provisions of existing withdrawals, the following described national forest

lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

PRINCIPAL MERIDIAN

HELENA NATIONAL FOREST

Skidway Gulch Campground

T. 7 N., R. 5 E.,
Sec. 21, SE¼NE¼NE¼NE¼, E½SW¼NE¼NE¼, N½SE¼NE¼NE¼, SW¼SE¼NE¼NE¼, NE¼SE¼NE¼, E½NW¼SE¼NE¼, NE¼SW¼SE¼NE¼, N½SE¼SE¼NE¼, and SE¼SE¼SE¼NE¼;
Sec. 22, W½SW¼NW¼.

Indian Flats Campground

T. 12 N., R. 1 W.,
Sec. 1, SE¼NW¼.

Pike Creek Campground

T. 13 N., R. 1 W.,
Sec. 36, NE¼NE¼.

Park Lake Campground

T. 8 N., R. 5 W.,
Sec. 13, N½ of lot 1, and N½S½ of lot 1..

Ten Mile Campground

T. 9 N., R. 5 W.,
Sec. 16, W½NW¼SW¼ and NW¼SW¼SW¼.

Lincoln Gulch Campground

T. 14 N., R. 9 W.,
Sec. 29, S½S½NE¼ and NE¼SE¼NE¼.

Blackfoot Campground

T. 14 N., R. 10 W.,
Sec. 34, SE¼NW¼.

The areas described aggregate 287.97 acres in Broadwater, Lewis and Clark, and Powell Counties.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

OCTOBER 31, 1967.

[F.R. Doc. 67-13038; Filed, Nov. 3, 1967; 8:46 a.m.]

[Public Land Order 4310]

[Montana 1624]

MONTANA

Withdrawal for National Forest Recreation Area

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

KOOTENAI NATIONAL FOREST

PRINCIPAL MERIDIAN, MONTANA

T. 26 N., R. 26 W.,
Sec. 12, Lots 2, 3, and 4.

The area described contains 94.16 acres in Flathead County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

OCTOBER 31, 1967.

[F.R. Doc. 67-13039; Filed, Nov. 3, 1967; 8:46 a.m.]

[Public Land Order 4311]

[Oregon 185]

OREGON

Withdrawal for National Forest Administrative Sites and Recreation Areas

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

WILLAMETTE MERIDIAN

UMATILLA NATIONAL FOREST

Wheeler Point Administrative Area

T. 7 S., R. 24 E.,
Sec. 18, SE¼ of lot 2.

Big Rock Flat Administrative Area

T. 6 S., R. 26 E.,
Sec. 14, SE¼SE¼;
Sec. 23, NE¼ and NE¼SE¼.

Ant Hill Administrative Area

T. 8 S., R. 26 E.,
Sec. 13, NE¼NE¼SW¼.

Tamarack Mountain Administrative Area

T. 8 S., R. 26 E.,
Sec. 18, S½SW¼NE¼ and NW¼NW¼SE¼.

Madison Butte Administrative Area

T. 5 S., R. 27 E.,
Sec. 29, SE¼NE¼NE¼ and NE¼SE¼NE¼.

Bottle Spring Administrative Area

T. 5 S., R. 27 E.,
Sec. 29, NW¼SE¼NW¼.

Ditch Creek Administrative Area

T. 5 S., R. 28 E.,
Sec. 21, SE¼SW¼NW¼.

Deerhorn Campground

T. 5 S., R. 28 E.,
Sec. 24, SE¼SW¼SW¼.

Mallory Spring Campground

T. 5 S., R. 28 E.,
Sec. 34, NE¼NE¼NE¼.

The areas described aggregate 349.90 acres in Grant, Morrow, and Wheeler Counties.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetable resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

OCTOBER 31, 1967.

[F.R. Doc. 67-13040; Filed, Nov. 3, 1967; 8:46 a.m.]

[Public Land Order 4312]

[Riverside 753]

CALIFORNIA

Amendment of Public Land Order No. 4270

Public Land Order No. 4270 of September 11, 1967 (32 F.R. 13192-3), transferring jurisdiction over the oil and gas deposits in or adjacent to certain lands of the Veterans Administration Center, Los Angeles, to the Department of the Interior, is hereby amended by deleting from the last line in the first paragraph the words "in private ownership."

The adjacent lands to which it refers are federally owned.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

OCTOBER 31, 1967.

[F.R. Doc. 67-13041; Filed, Nov. 3, 1967; 8:46 a.m.]

[Public Land Order 4313]

[Arizona 821]

ARIZONA

Modification of Executive Order No. 2295

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Executive Order No. 2295 of January 1, 1916, withdrawing certain lands in Arizona for a rifle range, is hereby modified to the extent necessary to permit the granting of a right-of-way under section 2477, U.S. Revised Statutes (43 U.S.C. 932), to the city of Tucson, Ariz., over the following described lands, as delineated on a map entitled "Proposed Realignment of W. Speedway and Opening of La Cholla Boulevard, etc.", on file with the Bureau of Land Management in Arizona 821, for construction of a public road:

GILA AND SALT RIVER MERIDIAN

T. 14 S., R. 13 E.,
Sec. 10, lot 15.

The area described contains 13.94 acres in Pima County.

OCTOBER 31, 1967.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

[F.R. Doc. 67-13042; Filed, Nov. 3, 1967; 8:46 a.m.]

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Lemon Reg. 292]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.592 Lemon Regulation 292.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on October 31, 1967.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period November 5, 1967, through November 11, 1967, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 50,220 cartons;

(iii) District 3: 149,730 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 2, 1967.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-13136; Filed, Nov. 3, 1967; 8:50 a.m.]

[Grapefruit Reg. 46]

PART 912—GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

Limitation of Handling

§ 912.346 Grapefruit Regulation 46.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912), regulating the handling of grapefruit grown in the Indian River District in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Indian River Grapefruit Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Indian River grapefruit, and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time; are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Indian River grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on November 2, 1967.

(b) *Order.* (1) The quantity of grapefruit grown in the Indian River District which may be handled during the period November 6, 1967 through November 12, 1967, is hereby fixed at 125,000 standard packed boxes.

(2) As used in this section, "handled," "Indian River District," "grapefruit," and "standard packed box" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 2, 1967.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-13187; Filed, Nov. 3, 1967; 11:17 a.m.]

[Grapefruit Reg. 14]

PART 913—GRAPEFRUIT GROWN IN INTERIOR DISTRICT IN FLORIDA

Limitation of Shipments

§ 913.314 Grapefruit Regulation 14.

(a) *Findings.* (1) (i) Pursuant to the marketing agreement and Order No. 913 (7 CFR Part 913), regulating the handling of grapefruit grown in the Interior District in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and after consideration of the recommendations and information submitted by the Interior Grapefruit Marketing Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found, on the basis hereinafter set forth, that the limitation of handling of such grapefruit, as hereinafter provided, will tend

to effectuate the declared policy of the act.

(ii) The committee reports that the market for Interior grapefruit is slow with excessive supplies in the market; there is seasonal consumer resistance to the purchase of large supplies of fresh grapefruit; and thus additional supplies should not be permitted in the market as they could tend to further depress the market. The current average auction price for Interior grapefruit shows a reduction to $2.28 per 4/5-bushel carton from $2.76 per 4/5-bushel carton at the beginning of the previous week which had declined from a somewhat higher average price for the week prior thereto. A limitation of grapefruit shipments at this time of season would tend to prevent market gluts; and such limitation would also tend to establish and maintain such orderly marketing conditions for such grapefruit as will provide, in the interest of producers and consumers, an orderly flow of the supply thereof to market throughout its normal marketing season so as to avoid unreasonable fluctuations in supplies and prices, which could result in part from an Interior grapefruit crop which is currently estimated to be significantly smaller than that of last year. The committee concluded on the basis of the foregoing and other pertinent factors that shipment of Interior grapefruit should be fixed at 550 carloads (275,000 standard packed boxes); and it so recommended.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Interior grapefruit, and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such Interior grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on October 31, 1967.

(b) *Order.* (1) The quantity of grapefruit grown in the Interior District which may be handled during the period November 6, 1967, through November 12, 1967, is hereby fixed at 275,000 standard packed boxes.

(2) As used in this section, "handled," "Interior District," "grapefruit," and "standard packed box" have the same meaning as when used in said marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 1, 1967.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-13052; Filed, Nov. 3, 1967; 8:47 a.m.]

[Milk Order No. 137]

PART 1137—MILK IN EASTERN COLORADO MARKETING AREA

Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Eastern Colorado marketing area (7 CFR Part 1137), it is hereby found and determined that:

(a) The following provision of the order no longer tends to effectuate the declared policy of the Act for the months of November and December 1967 and January 1968:

(1) Section 1137.51(a) (1) and (2) in its entirety, relating to the computation of the supply-demand adjustment.

(b) Thirty days notice of the effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) The suspension will cancel minus supply-demand adjustments which, otherwise, would lower Class I milk prices during the suspension period. The suspension is intended to maintain sufficient milk production for the Eastern Colorado and Western Colorado milk markets to meet the need for Class I milk during the suspension period.

The supply-demand adjustor which is provided in the Eastern Colorado order utilizes milk supply and Class I utilization data for both the Eastern Colorado and Western Colorado markets. The Western Colorado Class I milk price is directly related to the Class I price established for Eastern Colorado. Consequently, the suspension order will also affect the Class I price for the Western Colorado market during the suspension period.

(4) Interested parties were afforded opportunity to file written data, views or arguments concerning this suspension (32 F.R. 14774). None was filed in opposition.

Therefore, good cause exists for making this order effective November 1, 1967.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the months of November and December 1967, and January 1968.

(Secs. 1–19, 48 Stat. 31, as amended; U.S.C. 601–674)

Effective date: November 1, 1967.

Signed at Washington, D.C., on November 3, 1967.

RODNEY E. LEONARD,
Deputy Assistant Secretary.

[F.R. Doc. 67-13188; Filed, Nov. 3, 1967; 11:17 a.m.]

Proposed Rule Making

ATOMIC ENERGY COMMISSION

[10 CFR Part 20]

STANDARDS FOR PROTECTION AGAINST RADIATION

Exposure of Individuals to Concentrations of Radioactive Material in Restricted Areas

Under the Atomic Energy Commission's currently effective regulations, 10 CFR Part 20, "Standards for Protection Against Radiation", Commission licensees may make allowance for the use of protective clothing or equipment in determining whether an individual is exposed to airborne concentrations of radioactive material in excess of specified limits only upon approval of a specific application to the Commission (§ 20.103).

The Commission is considering the amendment of § 20.103 to permit licensees, without prior specific authorization by the Commission, to make allowance for the use of respiratory protective equipment, under certain conditions, in limiting individual exposures. As revised, § 20.103(c) would specify conditions to be met by the licensee, including criteria for assuring an adequate respiratory protective program. The proposed amendment is designed to allow licensees greater operational flexibility by eliminating the time-consuming reviews now required for prior authorization without materially reducing the degree of safety provided. To this extent, the Commission's regulatory process would be simplified. In addition, the Commission will publish in the near future, as a technical information document WASH-_____,[1] a guide on the use of respirators for protection against airborne radioactive materials.

The primary objective of respiratory protective programs is to limit the inhalation of airborne radioactive materials. This objective is normally accomplished by the application of engineering controls, including process, containment, and ventilation design, as the primary means to assure that exposures are below permissible levels. The Commission continues to encourage licensees to follow the common industrial practice of using engineering controls to keep airborne concentrations as low as practicable in areas that may be occupied. When such controls are not feasible or cannot be applied to obtain sufficiently low concentrations, the use of respiratory protective equipment may be appropriate. In general, the use of respirators is less desirable than the use of process, containment, and ventilation techniques in providing respiratory protection. The use of respirators entails both greater likelihood of accidental exposures and greater likelihood that such exposures may go undetected, and may also subject the wearer to additional stress. The provision and use of respiratory protective equipment are subject to the following considerations regarding circumstances under which respiratory protection may be needed.

a. Routine operations are planned activities that are generally repetitive and occur with varying frequencies. For such operations, potential sources of airborne radioactive materials should be identified and respiratory protection provided by the use of process, containment and ventilation measures and by preplanning of work to limit exposure to airborne concentrations. The use of respiratory protective devices as a substitute for feasible engineering controls in routine operations is inappropriate.

b. Nonroutine operations are activities that are either nonrepetitive or else occur so infrequently that adequate limitation of exposure by engineering controls is impracticable. To the extent that process, containment, and ventilation controls are not reasonably feasible, the use of respiratory protective devices in nonroutine operations to avoid excessive exposure to radioactive materials is appropriate.

c. Emergencies are unplanned events characterized by risks sufficient to require immediate action to avoid or mitigate an abrupt or rapidly deteriorating situation. In such situations, use of respiratory protective equipment may be essential. While emergencies are, of course, unplanned, there should be plans for coping with potential emergencies. Such plans should assure that respiratory protective equipment likely to be needed is properly selected and maintained and that personnel are instructed in its use. The advance preparations appropriate to a particular potential emergency will depend upon its possible consequences and the probability of its occurrence.

Respiratory protective equipment is likely to be ineffective unless it is properly chosen, maintained, and used. The requirements set forth in the proposed § 20.103(c)(3) below are considered to be essential for an adequate respiratory protective program.

The periods of time for which respirators may be worn continuously and the overall time of use should be kept to a minimum. It is common practice to allow adequate rest periods at reasonable intervals for respirator users, and to limit total time of use. However, it is difficult to assign specific time limits on respirator use because of the wide variations in job requirements and in the physical capacities and psychological attitudes of individuals. It is expected that these factors would be taken into account by licensees in establishing a respiratory protective program. In lieu of a specific time limitation, the proposed amendment would include provision for relief of individuals wearing respirators. Experience has shown that where such relief is not provided, the protection afforded the wearer and the overall safety of the operation are likely to be reduced.

The proposed amendment of § 20.103 would:

a. Revise the present paragraph (a) to limit time average inhalation of airborne radioactive material to permissible concentration limits.

b. Delete the present paragraph (b) and add a proposed new paragraph (b) providing limitations on total intake of radioactive materials into the body by inhalation or absorption.

c. Delete the present paragraph (c) and add a proposed new paragraph (c) providing performance criteria under which allowance might be made for use of respiratory protective equipment which, among other things, would further limit the intake of radioactive materials in any 24-hour period during any portion of which respirators are worn.

d. Add a new paragraph (d) providing for imposition of further restrictions by the Commission on use of respirators, and to limit exposures of personnel to airborne radioactive materials when respiratory protective programs are found to be inadequate.

e. Add a new paragraph (e) requiring a report to be made to the appropriate AEC Compliance Office of the establishment of any respiratory protective program under the provisions of paragraph (c).

f. Add a new paragraph (f) indicating that the provisions of the proposed § 20.103 shall not be interpreted as precluding the use of appropriate respiratory protective devices in an emergency.

g. Add an Appendix E to 10 CFR 20—Protection Factors for Respirators.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, as amended, notice is hereby given that adoption of the following amendment of 10 CFR Part 20 is contemplated. All interested

[1] The draft guide is available for inspection at the Commission's Public Document Room, 1717 H Street, Washington, D.C., and copies may be obtained by addressing a request to the Director, Division of Radiation Protection Standards, U.S. Atomic Energy Commission, Washington, D.C. 20545.

persons who desire to submit written comments or suggestions in connection with the proposed amendment should send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch within 90 days after publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments received within the period specified. Copies of comments on the proposed rule may be examined at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. 20545.

1. Section 20.103 is amended to read as follows:

§ 20.103 Exposure of individuals to concentrations of radioactive material in restricted areas.

(a) No licensee shall possess, use, or transfer licensed material in such a manner as to permit any individual in a restricted area, within any period of 7 consecutive days to inhale airborne radioactive material in time-weighted average concentrations in excess of the pertinent values specified in Appendix B, Table I, Column 1 of this part. Except as provided in paragraph (c) (2) of this section, the concentration values specified in Appendix B, Table I, Column 1, of this part are based upon inhalation at these concentrations during 40 hours in any period of 7 consecutive days. In any 7 consecutive days in which the number of hours during which airborne radioactive material is inhaled is less than 40, the concentration average values may be increased proportionately. In any 7 consecutive days in which the number of hours during which airborne radioactive material is inhaled is greater than 40, the concentration average values shall be decreased proportionately. For the purposes of this regulation, it is assumed that an individual inhales radioactive material at the airborne concentrations in which he is present, unless he uses respiratory protective equipment pursuant to paragraph (c) of this section.

(b) If the radioactive material is of such form that intake through the skin or other additional route is likely, individual exposures to radioactive material shall be controlled so that the radioactive content of any critical organ from all routes of intake averaged over 7 consecutive days does not exceed that which would result from inhaling such radioactive material for 40 hours at the pertinent concentration values provided in Appendix B, Table I, Column 1 of this part.[2]

(c) In nonroutine operations in which adequate limitation of the inhalation of radioactive material by the use of process or other engineering controls is impracticable, a licensee may permit an individual in a restricted area to use respiratory protective equipment to limit the inhalation of airborne radioactive material, provided:

(1) The limits specified in paragraphs (a) and (b) of this section are not exceeded.

(2) Individual exposures to airborne radioactive material are controlled so that the quantity of radioactive material inhaled within any period of 24 consecutive hours during any portion of which respirators are used does not exceed that intake which would result from inhaling such material for 8 hours at the pertinent concentration values provided in Appendix B, Table I, Column 1. For the purposes of this subparagraph the concentration of radioactive material that is inhaled when respirators are worn may be determined by dividing the ambient airborne concentration by the protection factor specified in Appendix E of this part for the respiratory protective equipment worn.

(3) The licensee advises each respirator user that he may leave the area at any time for relief from respirator use.

(4) The licensee maintains a respiratory protective program adequate to assure that the requirements of subparagraphs (1) and (2) of this paragraph are met.[3] Such a program shall include:

(i) Air sampling and other surveys sufficient to identify the hazard, to evaluate individual exposure, and to permit proper selection of respiratory protective equipment.

(ii) Procedures to assure proper selection, supervision and training of personnel using such protective equipment.

(iii) Procedures to assure the adequate fitting of respirators and the testing of respiratory protective equipment for operability.

(iv) Procedures for maintenance to assure full effectiveness of respiratory protective equipment, including issuance, cleaning and decontamination, inspection, repair, and storage.

(v) Bioassays of individuals and other surveys, as appropriate, to evaluate individual exposures and to assess protection actually provided.

(vi) Records sufficient to permit periodic evaluation of the adequacy of the respiratory protective program.

(5) The licensee has evaluated[4] the respiratory protective equipment and has determined that, when used to protect against radioactive material under the conditions of use to be encountered, such equipment is capable of providing a degree of protection at least equal to the protection factors listed in Appendix E of this part.[5]

(6) Unless otherwise authorized by the Commission, the licensee does not assign protection factors in excess of those specified in Appendix E of this part in selecting and using respiratory protective equipment. The Commission may authorize a licensee to use higher protection factors upon receipt of an application (i) describing the situation for which a need exists for higher protection factors and (ii) demonstrating that the respirator will provide such higher protection factors under the proposed conditions of use.

(d) Notwithstanding the provisions of paragraph (c) of this section the Commission may impose further restrictions:

(1) On the extent to which a licensee may use respirators in lieu of process, containment, ventilation or other engineering controls; and

(2) To limit exposures of personnel to airborne radioactive materials if the respiratory protective program of the licensee is found to be inadequate.

(e) The licensee shall notify, in writing, the Director of the appropriate Atomic Energy Commission Regional Compliance Office listed in Appendix D of this part when he initiates a respiratory protective program. Such notification shall be made within 30 days after the date that he first permits use of respiratory protective equipment under the provisions of this section.

(f) Nothing contained in the provisions of this section shall preclude the use of respiratory protective equipment in an emergency. For the purposes of this section, an emergency is considered an unplanned event characterized by risks sufficient to require immediate action or avoid or mitigate an abrupt or rapidly deteriorating situation.

2. An Appendix E is added to 10 CFR Part 20, to read as follows:

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[2] Since the concentration specified for tritium oxide vapor assumes equal intakes by skin absorption and inhalation, the total intake permitted is that which would result from inhalation at twice the Appendix B, Table I, Column 1 concentration for 40 hours.

[3] Technical guidance in meeting the requirements of this subparagraph is provided in AEC technical information document WASH-_____, dated _____, 1968.

[4] Equipment approved under appropriate test schedules of the U.S. Bureau of Mines is acceptable to the extent pertinent under the conditions to be encountered.

[5] The factors listed are intended for use in protection against radioactive materials. These factors must be modified and additional precautions must be taken as necessary to portect against concurrent nonradiation hazards.

APPENDIX E

PROTECTION FACTORS FOR RESPIRATORS

Description	Modes [1]	Protection Factors [2]	
		Particulates and vapors and gases except tritium oxide [3]	Tritium oxide
I. Air-purifying respirator:			
Facepiece, half-mask	NP	10	1
Facepiece, full	NP	100	1
Facepiece, half-mask or full, or hood	PP	1,000	1
II. Atmosphere-supplying respirator:			
1. Air-line respirator:			
Facepiece, half-mask	CF	1,000	2
Facepiece, half-mask	D	100	2
Facepiece, full	CF	10,000	2
Facepiece, full	D	5,000	2
Facepiece, full	PD	10,000	2
Hood	CF	1,000	2
Suit	CF	(4)	(4)
2. Self-contained breathing apparatus (SCBA):			
Facepiece, full	D	5,000	2
Facepiece, full	PD	10,000	2
Facepiece, full	R	10,000	2
III. Combination respirator: Any combination of air-purifying and atmosphere-supplying respirator.		Protection factor for type and mode of operation as listed above.	

[1] See the following symbols:
CF: continuous flow.
D: demand.
NP: negative pressure (i.e. negative phase during inhalation).
PD: pressure demand (i.e. always positive pressure).
PP: positive pressure.
R: recirculating (closed circuit).

[2] (a) For purposes of this part the protection factor is a measure of the degree of protection afforded by a respirator, defined as the ratio of the concentration of airborne radioactive material outside the respiratory protective equipment to that inside the equipment (usually inside the facepiece) under conditions of use. It is applied to the ambient airborne concentration to determine the concentration inhaled by the wearer according to the following formula:

$$\text{Concentration Inhaled} = \frac{\text{Ambient Airborne Concentration}}{\text{Protection Factor}}$$

(b) The protection factors apply:
(i) only for trained individuals wearing properly fitted respirators used and maintained under supervision in a well-planned respiratory protective program.
(ii) for air-purifying respirators only when high efficiency particulate filters and/or sorbents appropriate to the hazard are used in atmospheres not deficient in oxygen.
(iii) for atmosphere-supplying respirators only when supplied with adequate respirable air.

[3] Excluding radioactive contaminants that present an absorption or submersion hazard.

[4] Appropriate protection factors must be determined taking account of the design of the suit and its permeability to the contaminant under conditions of use. No protection factor greater than 10,000 shall be used except as authorized pursuant to § 20.103(c)(6).

NOTE 1: Protection factors for respirators, as may be approved by the U.S. Bureau of Mines according to approval schedules for respirators to protect against airborne radionuclides, may be used to the extent that they do not exceed the protection factors listed in this Table. These protection factors may not be appropriate to circumstances where chemical or other respiratory hazards exist in addition to radioactive hazards. The selection and use of respirators for such circumstances should take into account approvals of the U.S. Bureau of Mines in accordance with their applicable schedules.

NOTE 2: Radioactive contaminants for which the concentration values in Appendix B, Table I of this part are based on internal dose due to inhalation may, in addition, present external exposure hazards at higher concentrations. Under such circumstances, limitations on occupancy may have to be governed by external dose limits.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this eighteenth day of October 1967.

For the Atomic Energy Commission.

F. T. HOBBS,
Acting Secretary.

[F.R. Doc. 67-13053; Filed, Nov. 3, 1967; 8:45 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Parts 141, 260]

[Docket No. R-332]

ANNUAL REPORTS OF CLASS A AND B PUBLIC UTILITIES, LICENSEES AND NATURAL GAS COMPANIES

Schedule for Reporting Charges for Professional and Other Consultative Services

OCTOBER 31, 1967.

1. Notice is given pursuant to section 553 of title 5 of the United States Code that the Commission proposes to amend the schedule "Charges For Professional Services", page 354, of FPC Form No. 1 and FPC Form No. 2 [1] prescribed, respectively, for public utilities and licensees by § 141.1, and for natural gas companies by § 260.1 of its regulations.

2. The schedule we propose to revise currently requires the reporting of specified information on any outside professional services for which payment is made in the amount of (1) $5,000 by a Class B utility, (2) $10,000 by a Class A utility having operating revenues under $25 million, and (3) $25,000 by Class A utilities having operating revenues of $25 million or more. The proposed revision would require reporting on all outside services of a professional nature procured by Class A and B utilities, regardless of the amount of payment. The title of the schedule would be changed to "Charges for Outside Consultative and Other Professional Services" to make clear that it covers all types of services. The additional information that will be required to be furnished as a result of this revision will assure full public disclosure of basic business practices and thereby assist in the discharge of our responsibilities for continuing surveillance of the operations of jurisdictional companies. The significance of the latter stems from the fact that, in general, appropriate consultative fees are classifiable as operating expenses, includible principally in Account 923, of our Uniform Systems of Accounts.

3. Accordingly, we propose to amend the schedule "Charges for Professional Services", page 354 of Forms Nos. 1 and 2, by revising the title to read "Charges for Outside Professional and Other Consultative Services. Instruction paragraph 1 is being revised to require the reporting of all charges made rather than only those above the limits currently specified. As amended paragraph 1 reads:

1. Report the information specified below for all charges made during the year included in any account for rate, management, construction, engineering, research, financial, valuation, legal, accounting, purchasing, advertising, labor relations, public relations, professional and other consultative services rendered the respondent under written or oral arrangements by any corporation, partnership, individual (other than for services as an employee), or organization of any kind, including legislative services except for those which should be reported in Account 426.4, Uniform System of Accounts.

In addition instruction 1(d) has been revised to require in more specific language the disclosure of the accounts and departments involved, and the word "professional" has been deleted from instruction 2. The deletion is intended to remove an unnecessary ambiguity. The propriety of including specific charges on Forms Nos. 1 and 2 should turn on the nature of the services for which the charge was incurred and not on the label by which the service is designated. The schedule, as proposed to be revised, is appended hereto.

4. This amendment of the schedule in FPC Forms Nos. 1 and 2 is proposed to be issued under the authority contained in sections 304 and 309 of the Federal Power Act (49 Stat. 855, 858; 16 U.S.C. 825c, 825h) and sections 10 and 16 of the Natural Gas Act (52 Stat. 826, 830; 15 U.S.C. 717i, 717o).

5. Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than December 20, 1967, data, views and comments in writing concerning the amendments here proposed. An original and 14 conformed copies should be filed with the Commission. In addition, interested per-

[1] Forms Nos. 1 and 2 filed as part of the original document.

sons, wishing to have their comments considered in the clearance of the proposed revisions under provisions of the Federal Reports Act of 1942 may at the same time submit a conformed copy of their comments directly to the Clearance Officer, Office of Statistical Standards, Bureau of the Budget, Washington, D.C. 20503. Submissions to the Commission should indicate the name and address of the person to whom correspondence in regard to the proposal should be addressed. The Commission will consider all such written submissions before acting on the matters here proposed.

By the Commission.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-13024; Filed, Nov. 3, 1967; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 51]

CAULIFLOWER [1]

U.S. Standards for Grades

Notice is hereby given that the U.S. Department of Agriculture is considering the revision of U.S. Standards for Cauliflower (7 CFR, §§ 51.540–51.549) pursuant to the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621–1627).

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposal should file the same in duplicate, not later than January 1, 1968, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, where they will be available for public inspection during official hours of business (paragraph (b) of § 1.27, as amended at 29 F.R. 7311).

Statement of considerations leading to the proposed revision of the grade standards. Trends in production and marketing practices over the past years have prompted interest by the industry in updating and improving the U.S. Standards for Cauliflower which have been in effect since December 14, 1952. The proposed changes in the standards result from discussions and field studies with industry members in various producing areas and terminal markets. It is believed that use of the proposed standards would benefit the cauliflower industry.

The proposed revision includes the following changes:

(1) The present standards provide for only one grade, U.S. No. 1. The proposed revision would include a U.S. Commercial grade, requiring at least 80 percent U.S. No. 1 quality. The quality requirements of U.S. No. 1 would remain basically the same as in the current standards.

(2) Each grade would require the diameter of the curd to be at least 4 inches.

(3) Jacket leaves would be required to be closely trimmed, unless otherwise specified.

(4) Definitions of certain defects would be added and others more precisely defined, and the standards would be presented in a new format which should be more readily understood.

(5) An optional standard sizing section would be added for those desiring uniformity of curd size within the container. Standard sizing would require that variation of curd size in individual packages not exceed 1½ inches.

The proposed standards, as revised, are as follows:

GRADES

AUTHORITY: The provisions of this subpart issued under secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624.

GRADES

§ 51.540 U.S. No. 1.

"U.S. No. 1" consists of heads of cauliflower which meet the following requirements:

(a) Basic requirements for curds:

(1) Clean;

(2) Compact;

(3) Color—white, creamy white, or cream;

(4) Size—not less than 4 inches in diameter.

(b) Basic requirements for jacket leaves:

(1) Fresh;

(2) Closely trimmed, unless otherwise specified;

(3) Fairly clean.

(c) Free from:

(1) Soft or wet decay.

(d) Free from damage caused by:

(1) Bruising;

(2) Cuts;

(3) Discoloration;

(4) Enlarged bracts;

(5) Fuzziness;

(6) Hollow stem;

(7) Insects;

(8) Mold;

(9) Riciness;

(10) Wilting; and,

(11) Other means.

(e) Free from serious damage by any cause.

(f) For tolerances (see § 51.543).

§ 51.541 U.S. Commercial.

"U.S. Commercial" consists of heads of cauliflower which meet the requirements for the U.S. No. 1 grade except for the increased tolerances for defects specified in § 51.543.

UNCLASSIFIED

§ 51.542 Unclassified.

"Unclassified" consists of cauliflower which has not been classified in accordance with either of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no grade has been applied to the lot.

TOLERANCES

§ 51.543 Tolerances.

In order to allow for variations incident to proper grading and handling in each of the foregoing grades, the following tolerances, by count, are provided as specified:

(a) *For defects.*—(1) *U.S. No. 1.* 10 percent for heads of cauliflower in any lot which fail to meet the requirements of the grade, but not more than one-half of this tolerance, or 5 percent, shall be allowed for defects causing serious damage, including in this latter amount not more than 1 percent for soft or wet decay affecting the curd or butt. (See § 51.544.)

(2) *U.S. Commercial.* 20 percent for heads of cauliflower in any lot which fail to meet the requirements of the grade, but not more than one-half of this tolerance, or 10 percent, shall be allowed for defects causing serious damage, including in this latter amount not more than 1 percent for soft or wet decay affecting the curd or butt. (See § 51.544.)

(b) *For off-size.* 5 percent for heads of cauliflower smaller than the specified minimum curd size and 5 percent for heads of cauliflower larger than any specified maximum curd size. (See § 51.544.)

APPLICATION OF TOLERANCES

§ 51.544 Application of tolerances.

The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations:

(a) A package may contain not more than double any specified tolerance ex-

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

cept that at least two defective and two off-size specimens may be permitted in any package: *Provided,* That not more than one specimen which is affected by soft or wet decay occurring on the curd or butt portion of the head may be permitted in any package: *And provided further,* That the averages for the lot are within the tolerances specified for the grade.

STANDARD SIZING

§ 51.545 Standard sizing.

(a) Any lot of cauliflower may be designated as meeting the requirements for standard sizing provided the variation in diameter of the curd in any individual package is not more than 1½ inches.

(b) In order to allow for variations incident to proper packing not more than 10 percent of the containers in any lot may fail to meet the requirements for standard sizing.

DEFINITIONS

§ 51.546 Clean.

"Clean" means that the curd is practically free from dirt or other foreign matter.

§ 51.547 Compact.

"Compact" means that the flower clusters are closely united and the curd is solid.

§ 51.548 Diameter.

"Diameter" means the greatest dimension measured in a straight line which would pass through the center of the curd.

§ 51.549 Fresh.

"Fresh" means that the jacket leaves are of normal color and are not wilted.

§ 51.550 Closely trimmed.

"Closely trimmed" means that the butts are smoothly trimmed and jacket leaves do not exceed the number and length necessary for protection against bruising, and do not extend above the crown of the curd. No jacket leaves are required on heads which are individually wrapped, or packed with cushions, partitions or other protective means.

§ 51.551 Fairly clean.

"Fairly clean" means the jacket leaves are not caked or badly smeared with dirt or other foreign matter.

§ 51.552 Curd.

"Curd" means the edible portion of the head exclusive of the butt and any attached jacket leaves.

§ 51.553 Soft or wet decay.

"Soft or wet decay" means any soft or mushy breakdown of the curd, butt, or leaves.

§ 51.554 Damage.

"Damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which materially detracts from the appearance, or the edible or marketing quality of the cauliflower. The following specific defects shall be considered as damage:

(a) Bruising when the size or color of the affected area materially detracts from the appearance or marketing quality, or when more than a small portion of the curd has broken off;

(b) Cuts when materially detracting from the appearance or marketing quality, or when any cut exposes the flower stem;

(c) Discoloration when yellow or other abnormal color materially detracts from the appearance of the curd or the jacket leaves of closely trimmed cauliflower, or when discoloration from causes other than disease seriously detracts from the appearance of the jacket leaves of cauliflower not closely trimmed;

(d) Enlarged bracts when leaves growing up through and extending above the curd materially detract from the appearance of the head;

(e) Fuzziness when more than one-third of the curd surface has a distinct fuzzy appearance;

(f) Hollow stem when the opening extends into the curd, or when the opening is more than slightly discolored or watersoaked;

(g) Insects when any feeding injury on the curd is evident, or when the curd is more than slightly infested or the jacket leaves are more than moderately infested with aphids or other insects;

(h) Mold when the aggregate area of all spots exceeds that of a circle three-eighths inch in diameter, or when the area of any individual spot exceeds that of a circle one-eighth inch in diameter. Mold which causes disintegration of the curd is considered soft decay; and,

(i) Riciness when causing the surface of the curd to be abnormally rough or granular.

§ 51.555 Serious damage.

"Serious damage" means any specific defect described in this section, any other defect, or any combination of defects, which seriously detracts from the appearance, or the edible or marketing quality of the cauliflower. The following specific defects shall be considered as serious damage:

(a) Insects when the curd is more than slightly infested or the jacket leaves badly infested with aphids or other insects, or when insect feeding injury seriously detracts from the appearance of the head;

(b) Soft or wet decay affecting any portion of the head.

METRIC CONVERSION TABLE

§ 51.556 Metric conversion table.

Inches	*Millimeters (mm)*	*Inches*	*Millimeters (mm)*
⅛ equals	3.2	3 equals	76.2
¼ equals	6.4	4 equals	101.6
½ equals	12.7	5 equals	127.0
¾ equals	19.1	6 equals	152.4
1 equals	25.4	7 equals	177.8
1½ equals	38.1	8 equals	203.2
2 equals	50.8	9 equals	228.6

Dated: November 1, 1967.

G. R. GRANGE,
Deputy Administrator, Marketing Services.

[F.R. Doc. 67-13086; Filed, Nov. 3, 1967; 8:50 a.m.]

[7 CFR Part 912]

GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

Approval of Expenses and Fixing of Rate of Assessment for 1966-67 Fiscal Period

Consideration is being given to the following proposals submitted by the Indian River Grapefruit Committee, established pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912), regulating the handling of grapefruit grown in the Indian River District in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(a) That the expenses that are reasonable and likely to be incurred by the Indian River Grapefruit Committee, during the period beginning August 1, 1967, and ending July 31, 1968, will amount to $25,000.

(b) That the rate of assessment for such period, payable by each handler in accordance with § 912.41, be fixed at $0.005 per standard packed box.

(c) Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: November 1, 1967.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-13087; Filed, Nov. 3, 1967; 8:50 a.m.]

[7 CFR Part 1090]

[Docket No. AO 266–A10]

MILK IN CHATTANOOGA, TENN., MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Holiday Inn-Downtown, Golden Gateway, 401 West Ninth Street, Chattanooga, Tenn., beginning at 10 a.m., e.s.t., on November 29, 1967, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Chattanooga, Tenn., marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposals relative to a redefinition of the marketing area raise the issue whether the provisions of the present order would tend to effectuate the declared policy of the Act, if they are applied to the marketing area as proposed to be redefined and, if not, what modifications of the provisions of the order would be appropriate.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Chattanooga Area Milk Producers Association:

Proposal No. 1. Amend § 1090.3 to read as follows:

§ 1090.3 Chattanooga, Tenn., marketing area.

The "Chattanooga, Tenn., Marketing Area," in this part, means all the territory included within the boundaries of Bradley, Hamilton, McMinn, Polk, Monroe, Meigs, Rhea, Bledsoe, Sequatchie, and Marion Counties, all in the State of Tennessee, and Dade, Walker, Catoosa, Whitfield, Chattooga, Murray, Fannin, Gordon, Gilmer, and Union Counties, all in the State of Georgia.

Proposal No. 2. Delete § 1090.7(a) and substitute a new paragraph (a) to read as follows:

(a) Milk distributing plant approved or recognized by a duly constituted health authority for the receiving or processing of Grade A milk and from which Class I milk equal to not less than 50 percent of its receipts of milk from other pool plants and from approved dairy farmers is disposed of during the month on a route(s) and from which Class I milk equal to not less than 15 percent of its total Class I disposition is disposed of during the month on a route(s) in the marketing area.

Proposal No. 3. Delete the present § 1090.10 in its entirety and substitute a new definition to read as follows:

§ 1090.10 Producer-handler.

"Producer-handler" means any person who:

(a) Operates a dairy farm and a distributing plant from which the Class I distribution (except that represented by nonfat solids used in the fortification of fluid milk products) is entirely from his own production;

(b) Receives no fluid milk products from sources other than his own farm production and other pool plants;

(c) Receives no other source milk other than that used in fortification; and

(d) Provides proof satisfactory to the market administrator that the care and management of the dairy animals and other resources necessary to produce the entire volume of fluid milk products handled (excluding receipts from pool plants) and the operation of the processing, packaging, and distribution business are the personal enterprise and risk of such person.

Proposal No. 4. Delete § 1090.52(a) and substitute a new paragraph (a) to read as follows:

(a) *Class I milk price.* Multiply the Chicago butter price for the preceding month by 0.12; and

Proposal No. 5. Delete in § 1090.72(b) the words "and subtract 4 cents" and in § 1090.72(d) the words "plus 4 cents".

Proposal No. 6. Amend § 1090.12 to read as follows:

§ 1090.12 Fluid milk product.

"Fluid milk product" means milk, skim milk, buttermilk, flavored and skim milk drinks, fluid filled milk products, yogurt, cream (sweet or sour), or any mixture in fluid form of milk, skim milk and cream (except sterilized products packaged in hermetically sealed containers, eggnog, ice cream and ice milk mix and aerated cream).

Proposed by Happy Valley Farms, Inc., Mayfield Dairy Farms, Inc., Sealtest Foods Division, National Dairy Products Corp., and Ray Moss Farms, Inc.:

Proposal No. 7. Amend § 1090.3 by striking the present language and replacing with the following:

§ 1090.3 Chattanooga, Tenn., marketing area.

"Chattanooga, Tenn., Marketing Area", called the "marketing area" in this part, means all the territory included within the boundaries of Bledsoe, Bradley, Hamilton, Marion, McMinn, Meigs, Monroe, Polk, Rhea, and Sequatchie Counties, all in the State of Tennessee.

Proposal No. 8. Amend § 1090.41(b)(4) by striking the present language and replacing with the following:

(4) Disposed of and used as livestock feed, or dumped after prior notification to, and opportunity for verification by, the Market Administrator.

Proposal No. 9. Amend § 1090.41(b)(5) by striking the present language and replacing with the following:

(5) In shrinkage of skim milk and butterfat, respectively, assigned pursuant to § 1090.42(b)(1) but not to exceed the following:

(i) Two percent of producer milk (except that diverted pursuant to § 1090.6);

(ii) Plus 1.5 percent of fluid milk products received in bulk tank lots from pool plants;

(iii) Plus 1.5 percent of receipts of fluid milk products in bulk from other order plants, exclusive of the quantity for which Class II utilization was requested by the operators of such plants and the handler;

(iv) Plus 1.5 percent of receipts of fluid milk products in bulk from unregulated supply plants, exclusive of the quantity for which Class II utilization is requested by the handler; and

(v) Less 1.5 percent of fluid milk products disposed of in bulk tank lots to pool plants and nonpool plants.

Proposal No. 10. Amend § 1090.46 by inserting between the present subparagraphs (1) and (2) of paragraph (a), a subparagraph identified as subparagraph (2), as follows:

(2) Subtract from the total pounds of skim milk in Class I milk the pounds of skim milk in receipts of packaged fluid milk products from an unregulated supply plant or the pounds of skim milk classified as Class I milk and transferred or diverted during the month to such nonpool plant, whichever is less;

Redesignate the present subparagraph (2) of paragraph (a) as subparagraph (3), and renumber the following subparagraphs of paragraph (a) appropriately in sequence.

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 11. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 5916 Brainerd Road, Post Office Box 8085, Chattanooga, Tenn. 37411, or from the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, or may be there inspected.

Signed at Washington, D.C., on November 1, 1967.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 67–13088; Filed, Nov. 3, 1967; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

[46 CFR Ch. IV]

[Docket No. 67-55]

FILING OF AGREEMENTS BETWEEN COMMON CARRIERS OF FREIGHT BY WATER IN THE FOREIGN COMMERCE OF THE UNITED STATES

Notice of Proposed Rule Making

Section 15 of the Shipping Act, 1916, requires every common carrier by water, or other person subject to the Act, to file immediately with the Commission a true copy, or if oral, a true and complete memorandum, of every agreement with another such carrier or other person subject to the Act, to which it may be a party or conform in whole or in part. The agreements covered by this section which pertain to this general order are those which in any way limit competition between or among common carriers by water in regard to rates, rules, and practices pertaining to the carriage of cargoes moving in the foreign commerce of the United States. Such agreements include those which:

1. Fix or regulate transportation rates;

2. Give or receive special rates, accommodations, or other special privileges or advantages;

3. Control, regulate, prevent, or destroy competition;

4. Pool or apportion earnings, losses, or traffic;

5. Allot ports or restrict or otherwise regulate the number and character of sailings between ports;

6. Limit or regulate in any way the volume or character of freight traffic to be carried;

7. Provide in any manner for an exclusive, preferential, or cooperative working arrangement.

The Commission is required to disapprove, cancel, or modify any such agreements that it finds, after notice and hearing, to be "unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or to operate to the detriment of the commerce of the United States, or to be contrary to the public interest, or to be in violation of this Act."

The Commission is also required to disapprove any conference agreement (1) which fails to provide reasonable and equal terms and conditions for admission and readmission to conference membership of other qualified carriers in the trade, or (2) which fails to provide that any member may withdraw from membership upon reasonable notice without penalty for such withdrawal, or (3) where it finds inadequate policing of the obligations under it; or (4) where it finds a failure or refusal to adopt and maintain reasonable procedures for promptly and fairly hearing and considering shippers' requests and complaints. In order to carry out the requirements of the statute in these respects the Commission has promulgated its General Orders Nos. 7, 9 and 14 (46 CFR 528, 523, 527.)

In the interest of uniformity and in order to assure expeditious processing and consideration of agreements filed with the Commission pursuant to section 15 of the Shipping Act, 1916, notice is hereby given in accordance with the provisions of section 4, Administrative Procedure Act (5 U.S.C. 1003) and sections 15 and 43 of the Shipping Act, 1916 (46 U.S.C. 814 and 841a), that the Federal Maritime Commission is considering promulgation of the proposed rules set forth hereinafter. The proposed rules apply to agreements between common carriers by water in the foreign commerce of the United States and not to interconference agreements or to agreements between "other persons subject to the Act" or between "other persons subject to the Act" and "common carriers by water" subject to the Act.

These rules, when promulgated, will cancel and supersede 46 CFR Part 522.

§ 522.1 Statement of policy.

The Commission is required to disapprove, cancel, or modify all anticompetitive agreements between common carriers by water subject to the Act that it finds, after notice and hearing, not to comport with the criteria established in section 15 of the Shipping Act. The rules in this part are promulgated to establish guidelines for the filing, format and content of agreements submitted to the Commission pursuant to section 15. Such guidelines should result in the filing of agreements that are as uniform as possible; reduction of the cost of preparation, handling, and processing to those that file the agreements, and to the Government; and expeditious consideration and processing of filed agreements. Except for the provisions pertaining to the mechanics of filing and to the method of handling modifications of approved agreements, the rules in this part are permissive rather than mandatory. The forms of agreements set forth in the rules in this part are those which would ensure expeditious processing and which could, in most instances, result in approval without the necessity for formal hearings. Commission processing of section 15 agreements can be further expedited if accompanied by the information set forth in § 522.3.

§ 522.2 Definitions.

For the purposes of the rules in this part only the following definitions of terms used therein shall apply.

(a) *Agreement.* The term "agreement" refers to a formal document or written memorandum which reflects an understanding, arrangement, or undertaking between two or more common carriers subject to the Shipping Act, 1916, as amended, which, because of the anticompetitive nature of the understanding, arrangement or undertaking, is required by the provisions of section 15 of said Act to be filed with the Commission for approval. Such agreements include but are not limited to the following general types:

(1) *Freight conference agreement.* An understanding, arrangement or undertaking between or among two or more common carriers of freight by water in the foreign commerce of the United States which results in a restriction of competition and which is denominated as a "conference" by the parties; or an understanding, arrangement or undertaking between or among two or more common carriers by water of freight in the foreign commerce of the United States which results in a restriction of competition and which will or could reasonably be expected to cause the parties to become a dominant force in the trade covered by the arrangement. Such agreements usually contain provisions for:

(i) The fixing and adherence to uniform rates, charges, and practices relating to the receipt, carriage and delivery of cargo, for all members;

(ii) The filing of a common tariff or tariffs in the name of the group, in which all members participate;

(iii) The appointment of a chairman or secretary to conduct the administrative affairs of the parties;

(iv) Such other matters as the parties may agree upon or as may from time to time be required by statute or by general orders of the Commission.

(2) *Rate agreement.* An understanding, arrangement or undertaking between or among two or more common carriers of freight by water in the foreign commerce of the United States which is not, will not be, or could not reasonably be expected to cause the parties to become a dominant factor in the commerce of the United States in the trade covered by the arrangement. Such agreements usually contain provisions for:

(i) The fixing and adherence to uniform rates, charges and practices relating to the receipt, carriage, and delivery of cargo, for all members;

(ii) The filing of tariffs;

(iii) Such other matters the parties may agree upon or as may from time to time be required by statute or by general orders of the Commission.

(3) *Pooling agreement.* An understanding, arrangement or undertaking between two or more common carriers in a trade which provides for the division of the cargo carryings or earnings and/or losses among the several carrier parties in accordance with a fixed formula.

(4) *Joint service agreement.* An understanding, arrangement, or undertaking between two or more common carriers which establishes a new and separate line or service to be operated by the parties as a joint venture. The new and separate service fixes its own rates, publishes its own tariffs or is a party in its own name to conference tariffs, issues its own bills of lading and acts generally as a single carrier.

(5) *Sailing agreement.* An understanding, arrangement, or undertaking between two or more common carriers which establishes a schedule of ports each carrier will serve and the frequency of each carrier's calls at those ports.

(6) *Transshipment agreement.* An understanding, arrangement, or undertaking between two or more common carriers which establishes a joint through route between the United States, or any of its Districts, Territories, or possessions, and a foreign country. The agreement provides for the fixing of joint through rates and the publication of such rates in tariffs in which all parties participate.

(7) *Cooperative working arrangement.* An understanding or arrangement between two or more common carriers which establishes exclusive, preferential or cooperative working relationships which are anticompetitive in nature but which do not fall precisely within any of the arrangements in subparagraphs (1) through (6) of this paragraph.

(b) *Modification.* An understanding, arrangement or undertaking between parties to an approved agreement which changes the approved terms of the agreement.

(c) *Carrier.* A common carrier by water of freight in the foreign commerce of the United States.

(d) *Commission.* The Federal Maritime Commission.

(e) *Shipping Act.* The Shipping Act, 1916, as amended.

§ 522.3 Filing of agreements (general).

(a) A true copy and 15 additional copies of all agreements and modifications or cancellations of approved agreements, filed for approval pursuant to section 15 of the Act, should be submitted to the Federal Maritime Commission, Washington, D.C., accompanied by a letter of transmittal which states that such agreements are filed pursuant to section 15 of the Shipping Act and specifically requests Commission approval of the agreement or agreements submitted. The true copy of the agreement so submitted should be personally signed by each of the parties or by a representative authorized to act for each such party, and show immediately below each signature the position and/or authority of the signer. The 15 copies may be made by any permanent process of duplication.

(b) Determinations regarding the compatibility of anticompetitive agreements with the standards of approvability enunciated in section 15 will be facilitated and the agreement can be more expeditiously processed if the letter of transmittal is accompanied by a memorandum demonstrating that the agreement is required by serious transportation considerations.

§ 522.4 Modifications.

(a) Every modification of an approved agreement when submitted for filing and approval, should indicate the page and restate the portion of the agreement for which modifications are contemplated. The portions of the agreement to be modified or excised should be struck through, but not obliterated, and the substituted language, if any, should be inserted directly following that which is to be modified or excised. The modifications should be underscored. If the modification consists of new material that is not a complete substitute for approved provisions, the page or pages on which the proposed modifications will appear should be restated with the proposed modifications underscored and placed in proper sequence on the page.

(b) Agreements shall not be modified more than three times in the manner stated in paragraph (a) of this section. Additional modifications shall be accomplished by restating the entire agreement, incorporating all previous modifications and showing the latest change in the same manner as provided in paragraph (a) of this section. Further modifications should follow the pattern provided in this section.

(c) Approved agreements which, at the effective date of this part, have more than three approved modifications, will be governed by the provisions of this section in respect to further modifications of such agreements.

§ 522.5 Contents of agreements.

The Commission has determined that the sample agreements that follow comply as to form with the provisions of the Shipping Act and the general orders issued pursuant to such Act. Agreements which are filed pursuant to the rules in this part and contain, either verbatim or in language of substantially the same import, the provisions hereinafter shown, will receive expedited handling by the Commission. Each of the following forms of agreement contains an optional clause which provides that the parties agree not to implement the agreement prior to Commission approval. It should be made plain that absence of this clause does not negate the specific prohibition in section 15 of the Act against carrying out any agreement or modification prior to Commission approval.

(a) *Freight conference agreement.*

AGREEMENT NO. ------

(Name of Conference)

This agreement was entered into by and between the parties on ---------- The undersigned, common carriers by water in the foreign commerce of the United States (hereinafter referred to as "Members"), in consideration of the benefits, advantages and privileges to be severally and collectively derived from this agreement, hereby associate themselves in a conference to be known as ---------- (hereinafter referred to as "the Conference"), to govern their transportation of freight from ------ ------ to ---------- (or between ---------- and ----------). (Reference should not be made to foreign-to-foreign trades.) Service provided by the Members shall be by single line haul (or by single or joint Member line haul).

AUTHORITY UNDER THIS AGREEMENT

Subject to applicable provisions of law, the Conference is authorized to:

1. Agree upon and establish rates and charges for the carriage of cargo;

2. Declare rates for specified commodities to be "open", with or without agreed minimum, and thereafter declare the rates for such commodities to be "closed" (optional);

3. Agree upon and establish tariffs, tariff amendments and supplements;

4. Make rules and regulations for the handling and carriage of cargo;

5. Provide for use of a contract/noncontract rate system for filing with the Commission for approval pursuant to section 14b of the Shipping Act, 1916 (optional);

6. Agree on amounts of brokerage and conditions for the payment of brokerage as permitted by applicable law (optional);

7. Keep such records and statistics as may be required by the parties or deemed helpful to their interests.

ADMISSION

Any common carrier by water, as defined in section 1 of the Shipping Act, 1916, which has been regularly engaged as a common carrier in the trade covered by this Agreement, or which furnishes evidence of ability and intention in good faith to institute and maintain such a common carrier service between ports within the scope of this Agreement, and which agrees in good faith to abide by all the terms and conditions of this Agreement, may hereafter become a party to this Agreement by affixing its signature thereto. Every application for membership shall be acted upon promptly. No carrier which has complied with the conditions set forth in this paragraph shall be denied admission or readmission to membership.

Prompt notice of admission to membership shall be furnished to the Federal Maritime Commission and no admission shall be effective prior to the postmark date of such notice. Advice of any denial of admission to membership, together with a complete statement of the reasons therefor, shall be furnished promptly to the Federal Maritime Commission. (Other conditions of membership which are not inconsistent with the foregoing, including payment of a reasonable admission fee, payment of any outstanding financial obligations arising out of prior membership, or the posting of a security bond or deposit may be included.)

WITHDRAWAL

Any Member may withdraw from the Conference without penalty by giving the Conference at least ------ days written notice of intention to withdraw: *Provided, however,* That action taken by the Conference to compel the payment of outstanding financial obligations by the resigning Member shall not be construed as a penalty for withdrawal. Notice of the withdrawal of any Member shall be furnished promptly to the Federal Maritime Commission.

EXPULSION

No Member may be expelled against its will from this Conference except for failure to maintain a common carrier service between the ports within the scope of this Agreement (said failure to be determined according to the minimum sailing requirements set forth in this Agreement) or for substantial failure to abide by the terms and conditions of this Agreement. No expulsion shall become effective until a detailed statement setting forth the reason or reasons therefor has been furnished the expelled Member and a copy of the statement submitted to the Federal Maritime Commission.

ABANDONMENT OF SERVICE

Membership in the Conference shall cease when service is abandoned. A Member's failure to have a sailing in the trade for a period of ------ consecutive sailing months shall be regarded as an abandonment. If war, strikes, force majeure, or other circumstances beyond its control compel a Member to suspend service, it may apply for inac-

tive status: *Provided,* That application is made prior to termination of membership. Notice of termination of membership shall be furnished promptly to the Federal Maritime Commission.

OFFICERS, ORGANIZATION AND ADMINSTRATION

The Members shall select a Chairman and/or Secretary to serve for _____. The Chairman (or Secretary), when available, shall preside at Conference meetings. He (or she) shall have full authority to carry out the decisions of the Conference and perform such duties and appoint such committees as may be directed by the Conference. In the absence of the Chairman (or Secretary) at any meeting, an Acting Chairman may be selected by the Members present to conduct the meeting. The Chairman (or Secretary) shall keep a record of the proceedings of all Conference meetings, whether formal or otherwise, and of the actions taken by the Conference. Information and statistics required by the Chairman (or Secretary) in making or carrying out decisions of the Conference shall be made available by the Conference members.

The Members may select a Vice Chairman (or Assistant Secretary) and such other assistants as may be required to assist the Chairman (or Secretary) in the performance of his (or her) duties.

The Conference office shall be located at _____ (City). This office may compile cargo statistics required or necessary to the carrying out of Conference decisions; compile data relating to rate applications; issue dockets for meetings; maintain contract lists and files of all conference tariffs (copies of such tariffs shall be filed with the Federal Maritime Commission in conformity with the provisions of section 18(b)(1) of the Shipping Act, 1916); and perform such other duties as are prescribed by this Agreement, directed by the Members and specifically recorded in the minutes of Conference meetings.

The expenses of annual Conference maintenance, as determined by the Conference members or by a committee established or appointed for the purpose, shall be divided among the members of the Conference in a manner to be agreed upon. Bills for such expenses shall be paid promptly upon receipt thereof.

MEETINGS

Regular Conference meetings shall be held _____ (specify) upon not less than 2 weeks (or on _____) notice from the Chairman (Secretary) unless such notice is unanimously waived. Advance notice of all matters requiring Conference action shall be given each member.

Special Conference meetings may be requested by any member upon application to the Conference office together with an explanation of the reason or reasons therefor. The special meeting shall be called by the Chairman (Secretary), and adequate notice thereof shall be given all members. The notice shall indicate the subject matter and reason for the meeting.

If it is required or necessary that the Conference take emergency action with respect to rates or other matters, and there is not time to convene a special meeting, the members may be polled by the Chairman (Secretary) by telephone, and such action authorized by the affirmative consent of the members. All such telephone polls, the subject matter thereof, and the action taken by the Conference shall be reported in the Minutes of the next regular Conference meeting.

Meetings of such committees as are appointed by the Conference in the conduct of its affairs shall be held at times and places as may be decided by such committees and a record shall be made of proceedings of all such committee meetings, whether formal or otherwise, including the results of all actions taken.

VOTING RIGHTS

Each member shall be entitled to vote with the following exceptions:

1. Any member who has given notice of withdrawal shall not, while such notice is outstanding, be entitled to vote on any Conference matter, rate, rule, or regulation which is to continue in effect or become effective after the effective date of such withdrawal;

2. Any inactive member whose service has been suspended shall not be entitled to vote on any matter except (a) amendment of the Conference agreement, and (b) dissolution of the Conference;

3. No member shall be entitled to vote on the expulsion of another member if it is a parent, subsidiary or associated company of the member complained against.

4. The member charged or the member complaining shall not be entitled to vote on the assessment of penalties recommended by the Chairman (Secretary) and/or investigative authority, for the breach or violation of the Conference agreement or its obligations thereunder.

A quorum at any meeting shall consist of _____, and no meeting shall be held unless a quorum is present. Voting on any matter regularly before the Conference shall be by those present (or by proxy) and entitled to vote.

All Conference action shall be authorized by the affirmative vote of not less than _____ of the members, except that:

1. Unanimous consent shall be required:

a. To dissolve the Conference;

b. To grant or withdraw approval of inactive status of a member (optional);

c. To expel a party from Conference membership with the exceptions previously noted (optional);

d. To agree upon amounts of brokerage, commissions or other compensation to be paid brokers or forwarders as permitted by applicable law (optional);

e. Authorize any changes in Conference tariff rules relating to the currency in which payment or receipt of freight is provided (optional).

2. An affirmative vote of not less than _____ of the Members shall be required to authorize the taking of the following actions:

a. Modification of the Conference agreement.

b. Assessment of penalties.

SELF-POLICING OF AGREEMENT

(The agreement must contain provisions describing the method or system used by the parties in policing the obligations under the agreement, including the procedure for handling complaints and the authority of every person having responsibility for administering the system.)

OTHER PROVISIONS

(The agreement may contain such other provisions permitted by law and not inconsistent with those indicated above, as may be deemed necessary by the parties.)

IMPLEMENTATION (OPTIONAL)

This agreement and any additions thereto or modifications thereof will not be carried out prior to approval by the Federal Maritime Commission in accordance with the provisions of section 15 of the Shipping Act, 1916, as amended.

(b) *Rate agreement.*

AGREEMENT NO. _____

(Name of Agreement—if any)

This agreement was entered into by and between the parties on _____. The undersigned, common carriers by water in the foreign commerce of the United States (hereinafter referred to as "parties"), hereby associated themselves in a Rate Agreement to be known as the (_____ Rate Agreement) to govern their transportation of freight from _____ to _____ (or between _____ and _____.)

(Reference should not be made to foreign-to-foreign trades.)

AUTHORITY UNDER THIS AGREEMENT

Subject to applicable provisions of law, the parties to this Agreement are authorized to:

1. Agree upon and establish rates and charges for the carriage of cargo;

2. Agree upon and establish tariffs, tariff amendments and supplements;

3. Make rules and regulations for the handling and carriage of cargo;

4. Agree upon amounts of brokerage and conditions for the payment of brokerage as permitted by applicable law (optional);

5. Keep such records and statistics as may be required by the parties or deemed helpful to their interests.

SELF-POLICING OF AGREEMENT

(The agreement must contain provisions describing the method or system used by the parties in policing the obligations under the agreement, including the procedure for handling complaints and the authority of every person having responsibility for administering the system.)

OTHER PROVISIONS

1. (Every agreement should contain a provision stating the manner in which the joint business of the parties may be carried out, i.e., full membership meeting, agents' meeting, principals' meeting, owners' meeting, through committees or subcommittees, telephone or oral polls, or through any other procedure by which the business of the joint parties may be conducted. This provision should also include quorum requirements, and the types of vote necessary to take various actions; i.e., majority, two-thirds, three-fourths, majority plus one, unanimous, etc.)

2. This agreement and any additions thereto or modifications thereof will not be carried out prior to approval by the Federal Maritime Commission in accordance with the provisions of section 15 of the Shipping Act, 1916, as amended (optional).

(The agreement may contain such other provisions, permitted by law and not inconsistent with those indicated above, as may be deemed necessary by the parties.)

(c) *Pooling agreement.*

AGREEMENT NO. _____

(Name of Agreement—if any)

1. This agreement was entered into by and between the parties on _____. The undersigned, common carriers by water in the foreign commerce of the United States (hereinafter referred to as "parties") agree that in the trade from _____ to _____ (or between _____ and _____) they will pool (or apportion) the revenues earned by, or losses of, each party for the carriage of (all cargoes, specific commodities, etc.) (If the pool is for traffic only to specify.)

2. The pool to be established pursuant to this agreement will operate as follows:

(List in lettered subparagraphs the exact method or procedure under which the pool will operate. Show percentage formula for division of revenue; deductions prior to division; expenses to be shared, with share of each party; division of carryings, if any; allocation by each party of space and/or vessels; etc.)

3. (If a pool secretary is to be appointed, his duties must be specified.)

4. (Provision should be made for the method of settling any disputes that may arise among the parties in the operation of the pool.)

5. (A limitation on the duration of the agreement should be shown.)

6. (Provision should be made for periodic (not less than yearly) reports to the Commission, showing at least the carryings, total earnings and divisions for each party to the pool.)

7. (The agreement may contain such other provisions, permitted by law and not inconsistent with those indicated above, as may be deemed necessary by the parties.)

8. This agreement and any additions thereto or modifications thereof will not be carried out prior to approval by the Federal Maritime Commission in accordance with the provisions of section 15 of the Shipping Act, 1916, as amended. (Optional)

(d) *Joint service agreement.*

AGREEMENT NO. ------

(Name of Agreement—if any)

1. This agreement was entered into by and between the parties on ---------- The undersigned, common carriers by water in the foreign commerce of the United States (hereinafter referred to as "parties") agree that in the trade from ---------- to ---------- (or between ---------- and ----------) they will establish and maintain a joint cargo service to be known as ---------- (Insert name of new service.)

2. The joint service may become a member of, and may resign, or withdraw from any lawful conference, pooling arrangement or other agreement subject to the Shipping Act, 1916, as amended, that may operate in the whole or any portion of the trades covered hereby. The joint service shall act as a single member or party to such agreements and shall be represented for such conference, pooling or other purposes by ---------- ---------- which (or who) shall have full authority with respect to all matters coming before the conference. The signature to such conference, pooling or other arrangements shall be in the following form:

---------- (Name of new service)

By: ----------

---------- (Title or authority)

3. In the case of any trades or traffic within the scope of this agreement where the rates, charges, and practices are not prescribed by any conference of which the joint service is a member, the new service shall establish and maintain its own rates, charges and practices covering such trades or traffic. The joint service shall file a tariff containing such rates, rules and regulations with the Federal Maritime Commission in accordance with the provisions of section 18(b) of the Shipping Act, 1916, as amended.

4. The parties shall cooperate to supply tonnage for this joint service as their owned or chartered vessels are available (or ----------). It is intended to have a sailing approximately at least ----------

5. The parties shall contribute to and share in any and all deposits, costs, expenses, profits, and losses incurred by and derived from this joint service in the following proportions: ----------

6. Copies of bills of lading of the joint service, showing the name of the new service and the names of the companies which are parties to this agreement, shall be furnished promptly to the Federal Maritime Commission.

7. The parties shall establish and maintain at ---------- an office from (Address) which the operations of the joint service will be directed.

8. This agreement may be canceled by any party giving ------ months written notice to the other party, and to the Federal Maritime Commission. Notice of resignation or withdrawal from every conference, pooling or other agreement of which the joint service is a member or party shall also be given, so that such resignations or withdrawals shall become effective simultaneously or as near thereto as possible, with the termination of this agreement; provided, however, that this agreement shall remain in full force and effect until all such resignations and withdrawals become effective.

9. This agreement and any additions thereto or modification thereof will not be carried out prior to approval by the Federal Maritime Commission in accordance with the provisions of section 15 of the Shipping Act, 1916, as amended (optional).

(The agreement may contain such other provisions, permitted by law and not inconsistent with those indicated above, as may be deemed necessary by the parties.)

(e) *Sailing agreement.*

AGREEMENT NO. ------

(Name of Agreement—if any)

1. This agreement was entered into by and between the parties on ---------- The undersigned, common carrier by water in the foreign commerce of the United States (hereinafter referred to as the "parties") agree that in the trade from ---------- to ---------- (or between ---------- and ----------) they will space their sailings in accordance with the following provisions of this agreement.

2. This agreement shall apply to the berth services operated or to be operated by the parties in the above named trade(s).

3. Each of the parties hereto will furnish equivalent tonnage as regards type and capacity, and will maintain *alternate* (or specify other arrangement) sailings in the trade mentioned above, with a minimum of ------ sailings each annually, so far as practicable and subject to such changes as may be instituted by cargo requirements or other factors. The parties will cooperate to arrange advertising and sailing schedules so as to avoid conflicting sailing dates.

4. There shall be no pooling or sharing of profits or losses. Revenues earned by the vessels employed under this agreement shall accrue to the operator thereof.

5. Each party shall manage and operate its own vessels at its own risk and expense, each party being responsible for the manning, navigation, etc. of its own vessels, the solicitation and booking of cargoes, collection of freight, appointment and removal of agents, settlement of cargo claims and all other activities required in the maintenance of service and sailings covered by this agreement.

6. The parties may advertise their respective services separately but in the event that such services are advertised in a single newspaper advertisement, or other medium, the full corporate or trade name of each party shall be shown in a manner to reflect their separate interests (For example: XYZ Line, Inc.) (For example: ABC Lines).

ALTERNATE SERVICES

7. Each of the parties hereto shall, as a member of any conference, exercise its rights, independent of the other, in voting on freight rates or on any other matter or thing within the scope of the agreement of such conference.

8. This agreement shall continue in effect until—

(a) Canceled by mutual consent to be evidenced in writing; or

(b) By the giving of ------ ( ) months written notice by either party to the other.

9. This agreement, or any modifications thereof, will not become effective until it shall have been approved by the Federal Maritime Commission, pursuant to the provisions of section 15 of the United States Shipping Act, 1916, as amended (optional).

10. If, in the opinion of a party to this agreement, one of the parties hereto has committed a breach of this agreement the matter of whether such breach has occurred shall be left to the determination of three (3) arbitrators, one to be nominated by the complaining party within thirty (30) days after his giving written notice to the party charged of demand for arbitration, a second to be nominated by the party charged within thirty (30) days after receipt by him of notice of demand for arbitration, and the third to be appointed by agreement of the two so nominated or, failing agreement thereon, by (a recognized arbitration body). The arbitrators so chosen shall, after hearing both parties, make their award in writing. The decision of the arbitrators shall be final and binding on the parties hereto and there shall be no appeal against the award of the arbitrators. All expenses in connection with any complaint made under this agreement shall be borne equally by all parties hereto. Nothing contained in this agreement shall interfere with the rights of any party hereto under the provisions of the Shipping Act of 1916, as amended (optional).

(The agreement may contain such other provisions, permitted by law and not inconsistent with those indicated above, as may be deemed necessary by the parties.)

(f) *Transshipment agreement.*

AGREEMENT NO. ------

(Name of Agreement—if any)

1. This agreement was entered into by and between the parties on ---------- The undersigned are common carriers by water in the foreign commerce of the United States.

2. This agreement, between ---------- ---------- (hereinafter referred to as the initial carrier) and ---------- (hereinafter referred to as the delivering carrier) covers and is restricted to transportation of cargo under through bills of lading from ports of call of the initial carrier in ---------- to ports of call of the delivering carrier in ---------- with transshipment at ----------

3. The parties to this agreement shall establish joint through rates, rules and regulations and shall file a joint tariff containing such rates, rules and regulations with the Federal Maritime Commission in accordance with the provisions of section 18(b) of the Shipping Act, 1916, as amended.

4. Accessorial and port charges (not including loading and discharging) shall be in addition to the through rates and will

accrue to the initial carrier or to the delivering carrier, as appropriate, over and above its proportion of the through rate (optional).

5. The through rates shall be apportioned on the basis of _____ percent to the initial carrier and _____ percent to the delivering carrier.

6. The expenses of transshipment on such cargo shall be absorbed on the basis of _____ percent by the initial carrier and _____ percent by the delivering carrier.

7. Each carrier will indemnify and hold the other carrier harmless from all expenses and liabilities it may incur which in any way may arise from or be connected with any loss, damage, delay, or misdelivery of goods while in the possession or custody of such other carrier under this agreement, except such loss, damage, delay, or misdelivery which is directly attributable to the neglect or willful misconduct of the other carrier, its agents, servants, or employees.

8. Nothing in this agreement shall bind the delivering carrier to tranship exclusively from vessels employed in the initial carrier's service (optional).

9. Cargo shall be carried on the terms of the initial carrier's customary bill of lading subject to the Carriage of Goods by Sea Ordinance in force at the port of shipment and any amending Ordinance thereafter.

10. Neither party hereto shall enter an agreement with any other party with respect to transportation of cargo within the scope of this agreement on terms at variance with those stated herein (optional).

11. Either party to this agreement may terminate its participation herein by giving _____ ( ) days' written notice to the other. A copy of such notice shall be promptly furnished to the Federal Maritime Commission.

12. This agreement and any additions thereto or modifications thereof will not be carried out prior to approval by the Federal Maritime Commission in accordance with the provisions of section 15 of the Shipping Act, 1916, as amended (optional).

(The agreement may contain such other provisions, permitted by law and not inconsistent with those indicated above, as may be deemed necessary by the parties.)

(g) *Cooperative working agreement.*

AGREEMENT NO. _____

(Name of Agreement, if any)

1. This agreement was entered into by and between the parties on _____, _____ _____ and _____ _____ (hereinafter referred to as the "parties") common carriers by water in the foreign commerce of the United States, agree:

2. (Set forth in numbered paragraphs the exact extent of the agreement between the parties which establishes the exclusive, preferential, or cooperative anticompetitive relationship between the parties, including the method by which the matters agreed upon will be carried out.)

3. This agreement and any additions thereto or modifications thereof shall not be carried out prior to approval by the Federal Maritime Commission in accordance with the provisions of section 15 of the Shipping Act, 1916, as amended (optional).

§ 522.6 Conditional approvals.

(a) In expediting the procedures involved in processing section 15 agreements, the Commission may grant approval of the agreement conditioned upon the acceptance by the parties of certain changes in the filed agreement. If the parties accept the Commission's changes within the time specified in the order of conditional approval by submitting a complete revised agreement signed by the parties, the agreement as revised will stand approved from the date of receipt by the Commission of the signed revised agreement. Notice of such date shall be given the parties or their representative by the Commission. In instances in which the time specified in the order of conditional approval expires without the above-stated acceptance, the approval shall be null and void and the agreement, as filed, will be reconsidered without further notice to the parties.

(b) It is unlawful to carry out the provisions of a conditionally approved agreement prior to acceptance by the parties of the conditions stated in the order of conditional approval in the manner specified in paragraph (a) of this section.

Interested persons may participate in this rulemaking proceeding by filing with the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 30 days of the publication of this notice in the FEDERAL REGISTER, an original and 15 copies of their views or arguments pertaining to the proposed amended rules. All suggestions for changes in the text as set out above should be accompanied by drafts of the language thought necessary to accomplish the desired change and should be supported by statements and arguments relating the proposed change to the purposes of section 15, of the Shipping Act, 1916. (46 U.S.C. 814.)

The Federal Maritime Commission, Bureau of Compliance, Office of Hearing Counsel shall participate in the proceeding and shall file Reply to Comments on or before January 8, 1968, by serving an original and 15 copies on the Federal Maritime Commission and one copy on each party who filed written comments. Answers to Hearing Counsel's replies shall be submitted to the Federal Maritime Commission on or before January 29, 1968.

By order of the Federal Maritime Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 67-13090; Filed, Nov. 3, 1967; 8:50 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES 2252]

ARKANSAS

Notice of Proposed Withdrawal and Reservation of Lands

OCTOBER 24, 1967.

By letter of December 16, 1966, the Corps of Engineers, Department of the Army, filed application ES 2252 for the withdrawal of the lands described below from all forms of appropriation under the public land laws for use in the Millwood Dam and Reservoir Project, Little River County, Ark.

For a period of 30 days from the date of the publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, 7981 Eastern Avenue, Silver Spring, Md. 20910.

The Department's regulations, 43 CFR 2311.1–3(c) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary of the Interior on the application will be published in the FEDERAL REGISTER. A copy of the notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

The lands involved in the application are:

FIFTH PRINCIPAL MERIDIAN

T. 11 S., R. 29 W.,
Sec. 20, fr'l SW¼SW¼, south of river (1.40 acres).
T. 10 S., R. 31 W.,
Sec. 29, fr'l S½SE¼, south of river (2.52 acres);
Sec. 32, fr'l SE¼NE¼, south of river (0.60 acre).

The areas described aggregate 4.52 acres.

JOSEPH P. HAGAN,
Acting Manager, Land Office.

[F.R. Doc. 67-13032; Filed, Nov. 3, 1967; 8:45 a.m.]

National Park Service

[Order 4]

CERTAIN OFFICIALS, GREAT SMOKY MOUNTAINS NATIONAL PARK, TENNESSEE-NORTH CAROLINA

Delegation of Authority

SECTION 1. *Assistant Superintendent.* The Assistant Superintendent may execute, approve and administer contracts not in excess of $100,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to availability of allotted funds. Construction contracts shall be entered into only with the advice and consent of the concerned Chief, Office of Design and Construction. This authority may be exercised by the Assistant Superintendent in behalf of any office or area administered by the Great Smoky Mountains National Park.

SEC. 2. *Administrative Officer.* The Administrative Officer may execute, approve and administer contracts not in excess of $100,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to availability of allotted funds. Construction contracts shall be entered into only with the advice and consent of the concerned Chief, Office of Design and Construction. This authority may be exercised by the Administrative Officer in behalf of any office or area administered by the Great Smoky Mountains National Park.

SEC. 3. *General Supply Officer.* The General Supply Officer may execute, approve and administer contracts not in excess of $25,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to availability of allotted funds. Construction contracts shall be entered into only with the advice and consent of the concerned Chief, Office of Design and Construction. This authority may be exercised by the General Supply Officer in behalf of any office or area administered by the Great Smoky Mountains National Park.

SEC. 4. *Chief of Maintenance.* The Chief of Maintenance may issue purchase orders not in excess of $300 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 5. *Construction and Maintenance Superintendent.* The Construction and Maintenance Superintendent may issue purchase orders not in excess of $300 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 6. *Foremen III and IV.* Foremen III and IV may issue purchase orders not in excess of $300 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 7. *Supervisory Park Rangers.* Supervisory Park Rangers in grades GS–9 and above may issue purchase orders not in excess of $300 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 8. *Storage Management Assistant.* The Storage Management Assistant may issue purchase orders not in excess of $300 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 9. *Supply Clerk.* The Supply Clerk may issue purchase orders not in excess of $300 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 10. *Oconaluftee and Tremont Job Corps Conservation Center Directors and Administrative Officers.* Oconaluftee and Tremont Job Corps Conservation Center Directors and Administrative Officers may issue purchase orders not in excess of $2,500 for supplies, materials and equipment in conformity with applicable regulations and statutory authority and subject to availability of funds.

SEC. 11. *Revocation.* This order supersedes Order No. 3 issued May 28, 1965.

(National Park Service Order 34 (31 F.R. 4255) as amended; 39 Stat. 535, 16 U.S.C. sec. 2; Southeast Region Order 4 (31 F.R. 3135)

GEORGE W. FRY,
Superintendent, Great Smoky Mountains National Park.

SEPTEMBER 26, 1967.

[F.R. Doc. 67-13031; Filed, Nov. 3, 1967; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

PUBLIC HEALTH SERVICE

Statement of Organization and Functions and Delegations of Authority

Part 4 (Public Health Service) of the Statement of Organization and Functions and Delegations of Authority for

the Department of Health, Education, and Welfare (32 F.R. 9739 et seq., July 4, 1967) is hereby amended as follows:

With regard to section 4–B, Organization and Functions—The paragraph under *Division of Finance (20194)* is revised to read:

(1) Provides leadership for the improvement of Service programing and financial management activities, (2) develops policies and instructions for budget preparation and presentation, (3) coordinates the development of the 5-year program and financial plan under the Planning - Programing - Budgeting System, (4) directs allocation of funds and manages a system of budgetary controls, (5) directs planning and implementation of fiscal systems and procedures and provides accounting services, and (6) in coordination with the Division of Grants and Contracts, develops policies and procedures concerning the financial aspects of grants and negotiated research and development contracts and furnishes financial advice to contracting officers.

The paragraph under *Division of Procurement and Materiel Management (20195)* is revised to read: (1) Plans, directs, and coordinates the PHS procurement and materiel management programs, providing leadership, guidance, and technical assistance in the management areas of procurement, supply, data automation, directives, records, forms, printing, and distribution, and (2) maintains liaison, in the Division's program areas, with components of the PHS, DHEW, and other Federal agencies, and various public and private organizations.

The name of the *Office of Comprehensive Health Planning and Development (2029)* is revised to read: *Office of Comprehensive Health Planning (2029)*.

The paragraph under *Public Health Service Regional Organization (20A1)* is revised to read: The Public Health Service Regional Organization provides a focal point for responding to the needs of State and local governmental officials, community agencies, and public or private institutions involved in the planning or provision of health services. As such, it (1) exerts leadership in planning and maintaining effective health programs, (2) provides or arranges for the provision of consultative and technical assistance, (3) reviews and approves applications for formula and project grants for health planning, for health services, and for the construction of health facilities where these functions have been delegated to the Regions, (4) promotes programs to increase the supply and improve the quality and utilization of health manpower, (5) evaluates State and local health programs, (6) assures compliance with Federal laws and regulations, and (7) reports to Public Health Service headquarters on health needs, problems, and significant developments.

In the section on the National Center for Health Statistics (2200), the paragraph under *Division of Vital Statistics (2245)* is revised to read: (1) Conducts a statistical program serving demographic and public health needs, (2) promotes utilization of data through expansion of the U.S. vital registration system and through conduct of sampling surveys to provide demographic and health information, (3) conducts methodological research on analyzing, evaluating, and presenting vital data and publishes results, (4) evaluates the responsiveness of the statistical product to user needs, and (5) develops and applies actuarial methods and formulae for construction of life tables and publishes results.

The paragraph entitled *Division of Health Records Statistics (2251)* is deleted.

The paragraph under *Division of Health Resources Statistics (2259)* is revised to read: (1) Conducts a national statistical program, using sampling surveys of records, and primary and secondary sources, to develop data on health resources including facilities and manpower, on short-term hospital visits, and on the health of the entire institutionalized population, and publishes reports, (2) conducts research on collection methodologies and publishes methodological reports, (3) makes studies to improve data quality and reliability, (4) provides technical assistance on the content and utilization of health records data, and (5) evaluates the responsiveness of the statistical product to user needs.

In the section on the National Library of Medicine, following the paragraph under *History of Medicine Division (2355)*, insert: *National Medical Audiovisual Center (2370)*. (1) Operates the central facility in the Public Health Service for the development, production, distribution, evaluation, and utilization of motion pictures, videotapes, and other audiovisual forms, (2) coordinates a comprehensive audiovisual program for the Service to assure maximum responsiveness and economy of funds and manpower, (3) provides consultation and assistance in the development of specialized audiovisual activities, (4) encourages the production, dissemination, and utilization of medical films and other audiovisuals in the schools of health professions and elsewhere, (5) operates a national clearinghouse and archival program, and (6) acts as a national/international film and videotape center for the distribution and exchange of biomedical audiovisuals.

In the section on the Bureau of Disease Prevention and Environmental Control (2500), the paragraph under *National Communicable Disease Center (2561)* is revised to read: Plans, conducts, and coordinates (1) a national program for the prevention and control of communicable and certain other preventable diseases, (2) a national program for the detection, assessment, control, and reduction of potential and harmful and/or unnecessary exposure of man to pesticides and other chemical agents, and (3) a comprehensive national laboratory improvement program, including the provision of laboratory technical support for other national centers of the Bureau, other segments of the Public Health Service, and State, local, and other groups engaged in medical laboratory practice or administration.

With regard to section 4–C, Delegations of Authority—paragraph (5) on Freedmen's Hospital is deleted.

DONALD F. SIMPSON,
Assistant Secretary for Administration.

OCTOBER 31, 1967.

[F.R. Doc. 67–13068; Filed, Nov. 3, 1967; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

MOTOR VEHICLE SAFETY STANDARDS

Certification Requirement

Section 114 of the National Traffic and Motor Vehicle Safety Act of 1966, specifies that: (1) Every manufacturer or distributor of a motor vehicle or motor vehicle equipment shall furnish to the distributor or dealer at the time of delivery of such vehicle or equipment by such manufacturer or distributor the certification that each such vehicle or item of motor vehicle equipment conforms to all applicable Federal motor vehicle safety standards; (2) in the case of an item of motor vehicle equipment such certification may be in the form of a label or tag on such item or on the outside of a container in which such item is delivered; and (3) in the case of a motor vehicle such certification shall be in the form of a label or tag permanently affixed to such motor vehicle.

Manufacturers or distributors of motor vehicles should comply with the requirements of section 114 by permanently affixing an English language certification label or tag to each applicable vehicle in a location where it can be easily read. Manufacturers or distributors of motor vehicle equipment should comply with the requirements of section 114 by affixing an English language certification label or tag to each applicable item of motor vehicle equipment or to the outside of the container in which the item is delivered. In addition to these statutory requirements, manufacturers or distributors or motor vehicles and motor vehicle equipment must comply with any certification or labeling requirement that may presently or hereafter appear or be referred to in an applicable motor vehicle safety standard.

In accordance with section 112 of the Act it is requested that motor vehicle manufacturers or distributors, as applicable, submit the following information to the Director, National Highway Safety Bureau, before January 1, 1968:

1. The location on the vehicle at which the certification label or tag will be placed.
2. A sample certification label or tag.
3. The means by which the certification label or tag will be atached, e.g., weld, rivet, screw, or adhesive.
4. A description of the serial number system by which vehicles manufactured

on or after January 1, 1968, can be identified.

Manufacturers or distributors should be aware that the certification requirement of section 114 applies only in the event that there is a Federal Motor Vehicle Safety Standard applicable to the particular type of motor vehicle or item of motor vehicle equipment (whether original equipment or a replacement part).

The National Highway Safety Bureau has under study an appropriate program which will lead to specific regulations applicable to certification. After completion of the study and evaluation of the certification experience gained by both the Bureau and the manufacturers during the next few months, the Bureau will issue and publish in the FEDERAL REGISTER a notice of proposed rule making of certification regulations. It is contemplated that these regulations will have an effective date of January 1, 1969.

Issued in Washington, D.C., on October 31, 1967.

LOWELL K. BRIDWELL,
Federal Highway Administrator.

[F.R. Doc. 67-13064; Filed, Nov. 3, 1967; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 19170]

AEROLINEAS EL SALVADOR S.A.

Notice of Prehearing Conference

Application for renewal of its foreign air carrier permit pursuant to section 402 of the Federal Aviation Act of 1958, as amended.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on November 14, 1967, at 10 a.m., e.s.t., in Room 211, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Leslie G. Donahue.

Dated at Washington, D.C., October 31, 1967.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 67-13069; Filed, Nov. 3, 1967; 8:48 a.m.]

[Docket No. 18136]

COMPAGNIE NATIONALE AIR FRANCE

Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is postponed to be held on December 11, 1967, at 10 a.m., e.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., October 31, 1967.

[SEAL] WALTER W. BRYAN,
Hearing Examiner.

[F.R. Doc. 67-13070; Filed, Nov. 3, 1967; 8:49 a.m.]

[Docket No. 18754]

SOUTHERN AIRWAYS, INC.

Notice of Prehearing Conference To Show Cause

Pursuant to Board instructions notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on November 13, 1967, at 10 a.m., e.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Herbert K. Bryan.

Dated at Washington, D.C., November 1, 1967.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 67-13071; Filed, Nov. 3, 1967; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

GOLFO Y. CARIBE STEAMSHIP LINES, S.A. AND PRINCESS CRUISES CORP., INC.

Application for Certificate of Financial Responsibility To Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages; Notice of Application for Certificate (Casualty)

Notice is hereby given that pursuant to the provisions of section 2, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, Amendment 2 (46 CFR Part 540), the following persons have applied to the Federal Maritime Commission for a Certificate of Financial Responsibility To Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages:

Golfo Y. Caribe Steamship Lines, S.A.
Princess Cruises Corp., Inc. (Princess Cruises).

Dated: November 1, 1967.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-13072; Filed, Nov. 3, 1967; 8:49 a.m.]

GOLFO Y. CARIBE STEAMSHIP LINES, S.A.

Indemnification of Passengers for Nonperformance of Transportation; Notice of Application for Certificate (Performance)

Notice is hereby given that pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20 (46 CFR Part 540) the following persons have applied to the Federal Maritime Commission for a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation:

Golfo Y. Caribe Steamship Lines, S.A.

Dated: November 1, 1967.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-13073; Filed, Nov. 3, 1967; 8:49 a.m.]

[Independent Ocean Freight Forwarder License 957]

SHERRIFF-GUERRINGUE, INC.

Revocation of License

Whereas, on October 10, 1967, the St. Paul Mercury Insurance Co. notified the Commission that the surety bond filed pursuant to section 44(c), Shipping Act, 1916 (46 U.S.C. 841(b)) by Sherriff-Guerringue, Inc., Suite 400, Colman Building, Seattle, Wash. 98104, would be canceled effective November 9, 1967, and

Whereas, Sherriff-Guerringue, Inc., has returned its Independent Ocean Freight Forwarder License No. 957 to the Commission.

Now, therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (revised), section 6.03.

It is ordered, That the Independent Ocean Freight Forwarder License No. 957 of Sherriff-Guerringue, Inc. be and is hereby revoked, effective November 1, 1967.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on the licensee.

JOHN F. GILSON,
Deputy Director,
Bureau of Domestic Regulation.

[F.R. Doc. 67-13074; Filed, Nov. 3, 1967; 8:49 a.m.]

AMERICAN PRESIDENT LINES, LTD., AND ROYAL INTEROCEAN LINES

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as set forth below) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. D. J. Morris, Manager, Rates and Conferences, American President Lines, Ltd., 601 California Street, San Francisco, Calif. 94108.

Agreement 9667, between American President Lines, Ltd., and Royal Interocean Lines establishes a through billing arrangement for movement of general cargo from Mombasa and other ports in East Africa to U.S. Pacific Coast ports and Honolulu, Hawaii, with transshipment at Kobe or Yokohama, Japan, in accordance with terms and conditions set forth in the agreement.

Dated: November 1, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-13075; Filed, Nov. 3, 1967; 8:49 a.m.]

AMERICAN PRESIDENT LINES AND SEA-LAND SERVICE, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as set forth below) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. J. D. Morris, Manager, Rates and Conferences, American President Lines, 601 California Street, San Francisco, Calif. 94108.

Agreement No. 8504-3, between American President Lines (APL) and Sea-Land Service, Inc. of Puerto Rico (Sea-Land), reconstitutes the basic agreement by incorporating therein all previously approved modifications, and further amends the agreement by expanding its geographic scope to include Korea, Pakistan, Vietnam, Thailand, Phnom Penh, Cambodia, Ceylon, and India and provides that Sea-Land's proportion of the through rate on cargo from India and Pakistan shall be subject to a net minimum of $12 per 40 cubic feet and/or $18 per 2,000 pounds, as freighted.

Dated: November 1, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-13076; Filed, Nov. 3, 1967; 8:49 a.m.]

JAVA-NEW YORK RATE AGREEMENT

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as set forth below) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Elliott B. Nixon, Burlingham Underwood Barron Wright & White, 25 Broadway, New York, N.Y. 10004.

Agreement 90-12, between the member lines of the Java-New York Rate Agreement No. 90, as amended, and Mitsui-O.S.K. Lines, Ltd., provides for the admission of Mitsui-O.S.K. Lines as an associate member of the conference. Under the agreement Mitsui-O.S.K. Lines (1) will be subject to all of the duties and obligations and entitled to all of the rights and privileges of members of the Java-New York Rate Agreement except that Mitsui's voting rights will be limited to arbitraries from ports as described therein to Singapore, and (2) for the purpose of this agreement discontinuance, abandonment, and termination of service or berthing of vessels as embodied in Clause 10 of Agreement 90, as amended, shall refer to berthing of Mitsui's vessels at Singapore for the loading of through cargoes originating at ports within the scope of the Java-New York Rate Agreement. Agreement 90-12, supersedes Agreement 90-11 published in the FEDERAL REGISTER of August 19, 1967, which is now categorized as withdrawn prior to approval.

Dated: November 1, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-13077; Filed, Nov. 3, 1967; 8:49 a.m.]

MOORE-McCORMACK LINES, INC., AND LYKES BROS. STEAMSHIP CO., INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as set forth below) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. W. J. Amoss, Jr., Vice President—Traffic, Lykes Bros. Steamship Co., Inc., 821 Gravier Street, New Orleans, La. 70150.

Agreement 9665, between Moore-McCormack Lines, Inc., and Lykes Bros. Steamship Co., Inc., establishes a through billing arrangement between ports in the Somali Republic and U.S. Atlantic and Gulf Coast ports with transshipment at Capetown, Durban, Lourenco Marques, Beira, Dar es Salaam, or Zanzibar in accordance with terms and conditions set forth in the agreement.

Dated: November 1, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-13078; Filed, Nov. 3, 1967; 8:49 a.m.]

MOORE-McCORMACK LINES, INC., AND LYKES BROS. STEAMSHIP CO., INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with

reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as set forth below) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. W. J. Amoss, Jr., Vice President—Traffic, Lykes Bros. Steamship Co., Inc., 821 Gravier Street, New Orleans, La. 70150.

Agreement 9666, between Moore-McCormack Lines, Inc., and Lykes Bros. Steamship Co., Inc., establishes a through billing arrangement for movement of general cargo between ports in Malagasy Republic, Mauritius, Reunion, and the Comores Islands and U.S. Gulf ports with transshipment at South and East African ports (Capetown-Mombasa range, inclusive) in accordance with terms and conditions set forth in the agreement.

Dated: November 1, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-13079; Filed, Nov. 3, 1967; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-32]

AEROJET-GENERAL CORP.

Notice of Termination of Facility License

The Commission has terminated Facility License No. R-10 which authorized Aerojet-General Corp. to operate its Model AGN-201, Serial No. 103M nuclear reactor on the Corporation's facility site in San Ramon, Calif.

The reactor has been satisfactorily dismantled and the component parts and a portion of the fuel transferred to Idaho State University at Pocatello, Idaho, under Construction Permit No. CPRR-98 (Docket No. 50-284). The remaining fuel is being held under the Corporation's Special Nuclear Materials License No. SNM-31 until eventual transfer to other licensees.

Copies of the Commission's order, the licensee's application dated August 18, 1967, and the related Safety Evaluation by the Division of Reactor Licensing are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the Safety Evaluation may be obtained at the Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 26th day of October 1967.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 67-13054; Filed, Nov. 3, 1967; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI67-275, RI68-124]

MOBIL OIL CORP. ET AL.

Order Accepting Contract Amendments, Accepting Decreased Rate Filings Subject to Refund in Existing Rate Suspension Proceeding, and Providing for Hearing on and Suspension of Proposed Increased Rate

OCTOBER 26, 1967.

In order accepting contract amendments, accepting decreased rate filings subject to refund in existing rate suspension proceeding, and providing for hearing on and suspension of proposed increased rate, issued September 15, 1967, and published in the FEDERAL REGISTER, September 27, 1967, F.R. Doc. 67-11161, 32 F.R. 13541, Docket Nos. RI67-275 et al., Appendix A, page 13541, delete last line of footnote 3 and insert: "Indefinite pricing provisions waived from January 1, 1967 to June 30, 1978, and provides for 1-cent periodic escalations."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-13026; Filed, Nov. 3, 1967; 8:45 a.m.]

[Docket Nos. CP67-365, CP68-11]

NORTHERN NATURAL GAS CO. ET AL.

Order Consolidating Applications, Permitting Interventions, Prescribing Procedures and Setting Date for Pre-Hearing Conference

OCTOBER 27, 1967.

Northern Natural Gas Co.; Michigan Gas and Electric Co., Applicant; Northern Natural Gas Co., Respondent; Docket Nos. CP67-365, CP68-11.

On June 5, 1967, Northern Natural Gas Co. (Northern) filed its application in Docket No. CP67-365 pursuant to section 7(c) of the Natural Gas Act (Act) in which it seeks authorization to construct and operate certain facilities and to deliver, through its Peoples Natural Gas Division, volumes of natural gas on a firm and interruptible basis to White Pine Copper Co. (White Pine) for use in its copper refining plant located in White Pine, Mich. Notice of the application was issued on June 13, 1967, and was published in the FEDERAL REGISTER on June 17, 1967 (32 F.R. 8734). A petition to intervene in opposition to the application was timely filed by Michigan Gas and Electric Co. (MG&E) and a late notice of intervention was filed by the Michigan Public Service Commission (PSC) in which it requested permission to enter the late filing.

On July 10, 1967, MG&E filed an application in Docket No. CP68-11 pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Northern to construct and operate natural gas transmission facilities and to sell and deliver natural gas in interstate commerce for resale and distribution in Ontonagon County, Mich. Notice of the application was issued on July 18, 1967, and was published in the FEDERAL REGISTER on July 26, 1967 (32 F.R. 10952). The gas which MG&E seeks to have made available would be used to serve natural gas to White Pine in the same volumes as proposed by Northern in its application in Docket No. CP67-365 and in addition would be used to serve other firm distribution markets in the Village of White Pine, Mich. The Michigan PSC filed a notice of intervention in Docket No. CP68-11.

In its petition to intervene in Docket No. CP67-365 MG&E alleges that it has secured franchises to provide natural gas service in the Upper Peninsula of Michigan in the villages of Baraga and South Range and the townships of Carp Lake and Ontonagon and that White Pine Copper Co. is located within Carp Lake Township. It opposes Northern's application to serve White Pine, because of its own proposal to serve White Pine as contemplated in its application in Docket No. CP68-11. MG&E requests that a formal hearing be set and that its application be consolidated for hearing with Northern's application in Docket No. CP67-365.

Northern filed an answer to MG&E's application in which it objects to that application because MG&E had submitted a competitive proposal to serve White Pine Copper Co. which was rejected by the proposed customer in favor of the offer from Northern's Peoples division and because "MG&E has not complied with the orderly procedure set out in Northern's tariff for the attachment of new communities."

Since the applications of both Northern and MG&E envision service of the same volume of gas to a single purchaser they apparently are mutually exclusive and should be consolidated for hearing so that they can be considered together.

The Commission further finds:

(1) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the matters in Docket Nos. CP67-365 and CP68-11 be consolidated for hearing and decision.

(2) Although the notice of intervention filed by the Michigan Public Service Commission in Docket No. CP67-365 was not filed within the time required by § 1.8(d) of the Commission's rules of practice and procedure (18 CFR 1.8(d)), good cause exists to permit the late filing

(3) It is desirable and in the public interest to allow Michigan Gas and Electric Co. to intervene in Docket No. CP67–365 in order that it may establish the facts and the law from which the nature and validity of alleged rights and interests may be determined and show what further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

(4) The expeditious disposition of these proceedings may be effectuated by holding a prehearing conference and to that end a prehearing conference should be held on November 28, 1967.

The Commission orders:

(A) The above-captioned matters are hereby consolidated for the purpose of hearing and decision.

(B) Michigan Gas and Electric Co. is hereby permitted to become an intervener in Docket No. CP67–365 subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervener shall be limited to matters affecting asserted rights and interests as specifically set forth in its petition to intervene: *And provided, further,* That the admission of such intervener shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(C) Intervention by the Michigan Public Service Commission is hereby granted.

(D) All evidence in support of the applications to be relied upon at the hearing shall be filed with the Commission and served on all parties and the Commission's staff on or before November 17, 1967.

(E) Pursuant to the provisions of § 1.18 of the Commission's rules of practice and procedure, a prehearing conference before a duly designated presiding examiner shall commence at 10 a.m., e.s.t. on November 28, 1967, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., for the purpose of effectuating the expeditious disposition of these consolidated proceedings. The purpose of such conference shall be to consider all matters at issue in the above dockets, the manner in which evidence shall be presented, to fix the date on which the consolidated hearing shall commence, and to consider any and all matters which might contribute to an expeditious disposition of these consolidated proceedings.

(F) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held on a date to be fixed by the presiding examiner in accordance with paragraph (D) above, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications.

(G) The Presiding Examiner, at a time deemed appropriate and in consideration of the magnitude of the respective presentations and the record that will have been made thereon, will, at his discretion, set a date for the filing of any answering evidence. In all other matters, the examiner's right to prescribe the manner in which the hearing is to be conducted is preserved.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67–13027; Filed, Nov. 3, 1967; 8:45 a.m.]

[Docket No. RI67–321]

NORVAL BALLARD ET AL.

Order Redesignating Proceeding

OCTOBER 31, 1967.

By order issued September 19, 1967, in Docket No. G–6170 et al., the Commission authorized Norval Ballard, Trustee (Operator) et al., in Docket No. G–6390 to continue the sale of natural gas theretofore authorized in said docket to be made by Norval Ballard (Operator) et al.; and Norval Ballard (Operator) et al., FPC Gas Rate Schedule No. 2 was redesignated as Norval Ballard, Trustee (Operator) et al., FPC Gas Rate Schedule No. 1. By notice issued September 1, 1967, in Docket No. RI67–321 a change in rate filed by Norval Ballard (Operator) et al., under his FPC Gas Rate Schedule No. 2 was made effective subject to refund as of August 23, 1967, and an escrow agreement to assure the refund of any amounts collected in excess of the amount determined to be just and reasonable in Docket No. RI67–321 was accepted for filing. The escrow agreement, as filed by Norval Ballard, reflects his status as trustee. The notice of change in rate was filed on February 20, 1967. The assignment from Norval Ballard to Norval Ballard, Trustee, was effective February 24, 1967. Therefore, the proceeding pending in Docket No. RI67–321 will be redesignated to conform to that of the redesignated rate schedule and new certificate holder.

The Commission orders: The proceeding pending in Docket No. RI67–321 is redesignated from Norval Ballard (Operator) et al., to Norval Ballard, Trustee (Operator) et al.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67–13028; Filed, Nov. 3, 1967; 8:45 a.m.]

[Project 2111]

PACIFIC POWER & LIGHT CO.

Notice of Additional Land Withdrawal in Washington

OCTOBER 31, 1967.

On June 16, 1967, Pacific Power & Light Co., Portland, Oreg., filed an application for amendment of license (major) for power Project No. 2111.

Conformable to the provisions of section 24 of the Act of June 10, 1920, as amended, notice is hereby given that the lands hereinafter described, insofar as title thereto remains in the United States, are included in power Project No. 2111 and are from the date of filing of the said application, reserved from entry, location or other disposal under the laws of the United States until otherwise directed by this Commission or by Congress.

WILLAMETTE MERIDIAN, WASHINGTON

T. 6 N., R. 6 E.,
Sec. 4, lot 4, SW¼NW¼, NW¼SW¼, N½SW¼SW¼;
Sec. 5, lots 1 and 2, S½NE¼, E½E½SW¼, N½SE¼, SW¼SE¼, N½SE¼SE¼;
Sec. 8, NW¼NW¼NE¼, NE¼NE¼NW¼.

The total area of United States lands reserved pursuant to the filing of this application is approximately 500.11 acres located entirely within the Gifford Pinchot National Forest. Of the total area reserved approximately 198.82 acres have been previously withdrawn for power purposes in connection with Project Nos. 935 or 2111.

Copies of revised maps, Exhibit K, sheets 6 of 9, 7 of 9, and 8 of 9 (FPC Nos. 2111–52 to –54, respectively) are being transmitted to the Bureau of Land Management, Geological Survey and Forest Service.

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67–13029; Filed, Nov. 3, 1967; 8:45 a.m.]

[Project Nos. 1889, 2485]

WESTERN MASSACHUSETTS ELECTRIC CO. ET AL.

Notice Postponing Oral Argument

OCTOBER 27, 1967.

Western Massachusetts Electric Co., Project No. 1889; The Connecticut Light and Power Co., The Hartford Electric Light Co., Western Massachusetts Electric Co., Project No. 2485.

Take notice that the oral argument in the above-designated proceedings, set for December 5, 1967, by notice issued October 23, 1967, is hereby postponed to December 7, 1967, at 10 a.m., e.s.t.

By direction of the Commission.

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67–13030; Filed, Nov. 3, 1967; 8:45 a.m.]

[Docket No. CP68–68]

UNITED GAS PIPE LINE CO.

Notice of Application

OCTOBER 30, 1967.

Take notice that on September 5, 1967, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La. 71102, filed in Docket No. CP68–68 a "budget-type" application pursuant to subsection (c) of section 7 of the Natural Gas Act, as implemented by § 157.7(c) of the regulations under the Act, for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas

facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate, during the 12-month period commencing November 1, 1967, certain minor natural gas sales and transportation facilities, including taps, valves, meters, and service lines, for the purpose of enabling Applicant to render both direct natural gas service and sales and deliveries for resale to various customers located near Applicant's pipeline system in the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

Applicant states that the deliveries to any one purchaser will not exceed 100,000 Mcf of natural gas per year and that such natural gas will not be used as boiler fuel as defined by the Commission.

The total estimated cost of Applicant's proposed construction will not exceed $300,000 and will be financed from current working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before November 20, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-12995; Filed, Nov. 2, 1967; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2117]

AMERICAN HYDROCARBON CORP.

Notice of Filing of Application for Order Declaring Company Is Not Investment Company

OCTOBER 30, 1967.

Notice is hereby given that American Hydrocarbon Corp. ("Applicant"), 111 Braniff Building, Dallas, Tex. 75235, a Delaware corporation, has filed an application pursuant to section 3(b) (2) of the Investment Company Act of 1940 ("Act") for an order of the Commission declaring it to be primarily engaged, through a controlled company, in a business other than that of investing, reinvesting, owning, holding or trading in securities. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant was organized, in August 1953, for the purpose of developing oil and gas properties, which gradually deteriorated, and was subsequently engaged in the business of Intercontinental Manufacturing Co., Inc. ("Intercontinental"), a wholly owned subsidiary which it acquired from the Lionel Corp. in June 1964. Applicant asserts that it then concentrated upon the development of Intercontinental to its maximum potential and attempted to consolidate Intercontinental with another manufacturing company in such a manner as to provide for the orderly retirement of certain debt of Applicant and the satisfaction of numerous creditors. Applicant further asserts that at the time of its ownership of Intercontinental, such ownership of Intercontinental comprised over 95 percent of Applicant's total assets, and Applicant was engaged through Intercontinental in the business of Intercontinental. Intercontinental engages in the manufacture of component parts for use in the aerospace and munitions fields as a prime or subcontractor under Government contracts, and is now primarily engaged in the manufacture of bomb bodies for sale under contract to the U.S. Navy.

The application states that on May 9, 1967, a transaction was consummated between Applicant and Intercontinental Industries, Inc. ("INI") whereby Applicant exchanged 900 shares of the common stock of Intercontinental, representing 90 percent of such common stock (the remaining ten percent to be sold to five officers of Intercontinental), for 40 percent of the outstanding voting securities of INI, certain convertible or secured notes of INI, and the assumption by INI of certain debt of Applicant. As stated by Applicant, this transaction represents the culmination of over a year and a half of effort by Applicant to attempt to salvage the affairs and assets of Applicant. Applicant submits that it "controls" INI, as such term is defined in section 2(a) (9) of the Act.

On June 30, 1967, subsequent to the disposition by Applicant of 143,600 shares of INI common stock primarily in settlement of certain existing obligations, Applicant held 416,000 shares, or approximately 29 percent of the outstanding voting securities of INI. Applicant's holding may be increased to approximately 31 percent if Applicant converts a $144,550 5-percent note into 48,183 shares of INI, or decreased to approximately 23 percent if 75,000 shares of INI are distributed to Applicant's stockholders. This distribution, although approved by a vote of stockholders, has been deferred until settlement is made with all of Applicant's creditors. If Applicant elects both to convert the notes and to make the distribution to shareholders, it will hold in excess of 25 percent of the outstanding voting securities of INI. INI, shares of the capital stock of which are listed on the American Stock Exchange, has disposed of the general construction business in which it was engaged until recently under the name of Jefferson Construction Co., and is presently engaged in the business of Intercontinental through Intercontinental.

Six designees of Applicant, including three of Applicant's five directors, are members of INI's Board of Directors, which is composed of nine members, and all of INI's major officers are representatives of Applicant. In addition, five designees of Applicant, including two of Applicant's five directors, are members of Intercontinental's Board of Directors, which is composed of nine members. Applicant represents that its officers and directors direct a substantial portion of their time and effort to the operations and daily activities of INI and Intercontinental.

Applicant states that it has never held itself out as, or engaged in the business of, an investment company. Applicant further states that its ownership in INI is its only significant investment, such ownership representing approximately 93 percent of the value of its total assets (exclusive of cash items and Government securities) at June 30, 1967. Applicant submits that, although it is an investment company as defined by section 3 (a) (3) of the Act since it owns investment securities having a value exceeding 40 percent of its total assets (exclusive of cash items and Government securities), its control of and primary engagement in the business of INI and Intercontinental entitle it to a declaration and finding by the Commission pursuant to section 3(b) (2) of the Act.

Section 3(b) (2) of the Act provides in pertinent part that the Commission may, upon application, find and by order declare an issuer to be primarily engaged in a business other than that of investing, reinvesting, owning, holding, or trading in securities through a controlled company.

Notice is further given that any interested person may, not later than November 20, 1967, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the

address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after such date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-13043; Filed, Nov. 3, 1967; 8:45 a.m.]

[812-2204]

GILLETTE INTERNATIONAL CAPITAL CORP.

Notice of Filing of Application for Order Exempting Company

OCTOBER 30, 1967.

Notice is hereby given that Gillette International Capital Corp. ("applicant"), c/o Gillette Co., Gillette Park, Boston, Mass. 02106, a Delaware corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting it from all provisions of the Act and the rules and regulations thereunder. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Applicant was organized by The Gillette Co. ("Gillette") under the laws of the State of Delaware on October 10, 1967. Gillette or a fully owned subsidiary of Gillette will subscribe for all capital stock of applicant to be issued and outstanding. Of the 1,000 authorized shares without par value of applicant, Gillette has subscribed for 100 shares and will pay an aggregate amount of not less than $10,000 in cash for said 100 shares. On or before December 31, 1967 Gillette or a fully owned subsidiary of Gillette will make such capital contributions to applicant of, or will purchase additional shares for, additional cash, securities or other property so that the capital of applicant will not be less than $15 million at that date. Any additional securities which applicant may issue, other than debt securities, shall be issued only to Gillette or to a fully owned subsidiary of Gillette. Gillette will continue to retain its present holdings of applicant's common stock and any additional securities of applicant which Gillette may acquire, and will not dispose of any of applicant's securities (other than debt securities) except to applicant itself or to a fully owned subsidiary of Gillette; and Gillette will cause each fully owned subsidiary not to dispose of applicant's securities (other than debt securities) except to Gillette, applicant, or to one or more fully owned subsidiaries of Gillette. In the event that any additional debt securities of applicant are issued to or held by the public, such debt securities will be guaranteed by Gillette in a manner substantially similar to the guarantee of the Debentures referred to below.

The principal business of Gillette is the manufacture and sale of men's personal care products—safety razors, blades, and men's toiletries; home permanent waves and other women's hair care and toiletry products; and ballpoint pens and refills and porous point pens utilizing a tapered nylon tip and refills.

Applicant intends to issue and sell an aggregate of up to $50 million of its Guaranteed Debentures Due 1982 ("Debentures") to a group of underwriters for offering and sale only outside the United States. Gillette will guarantee the payment of principal, interest, and premium, if any, on the Debentures. The Debentures will be convertible into common stock of Gillette at any time on and after May 1, 1968.

Applicant will use its best efforts to secure the listing of the Debentures on the New York Stock Exchange and their registration under the Securities Exchange Act of 1934, so that the holders of the Debentures will have the benefit of the reporting and disclosure requirements of the Exchange and the Securities Exchange Act of 1934. Applicant will also use its best efforts to secure the listing of the Debentures on the Luxembourg Stock Exchange. Similarly, holders of the Debentures will have the benefit of such reporting and disclosure requirements with respect to Gillette, the common stock of which is listed on the New York Stock Exchange (and certain other stock exchanges referred to above) and registered under the Securities Exchange Act of 1934.

It is intended that upon completion of the long-term investment of applicant's assets, substantially all of the assets of applicant (exclusive of U.S. Government securities and cash items) will be invested in securities of or loaned to foreign companies (including U.S. companies all or substantially all of whose business is carried on abroad either directly or indirectly through foreign companies) (A) which are, or upon the making of such investments or loans will be (1) majority owned subsidiaries of Gillette within the meaning of section 2(a)(23) of the Act (2) companies under Gillette's control within the meaning of section (2)(a)(9) of the Act, or (3) companies which are engaged in a business related to the business of Gillette in which Gillette owns, directly or indirectly, an equity interest of 15 percent or more and (B) which are primarily engaged in a business or businesses other than investing, reinvesting, owning, holding or trading in securities; *Provided, however,* That clause (B) shall not preclude investments by applicant in a fully owned direct or indirect subsidiary of Gillette primarily engaged in the business of owning or holding securities of companies in which the applicant may make investments in securities of or loans to in accordance with clauses (A) and (B) above. Applicant will proceed as expeditiously as possible with the long-term investment of its assets in the manner described above, will not acquire securities for the purpose of resale and will not trade in securities. Pending such investment, and from time to time thereafter in connection with changes in long-term investments, applicant will invest temporarily in debt obligations (including time deposits) of governments, financial institutions and foreign subsidiaries of Gillette, payable in U.S. dollars or other currencies and in each case maturing in 1 year or less from the date of acquisition.

Gillette is interested in developing and expanding its foreign operations, including increasing its investments in its existing foreign subsidiaries, the setting up or the acquisition of additional foreign subsidiaries, and otherwise making substantial direct or indirect investments and direct or indirect acquisitions of interests in foreign companies and businesses. Gillette is utilizing applicant to fulfill its general objective of developing and expanding its foreign operations, as described above, and at the same time to support the balance-of-payments position of the United States in compliance with the voluntary cooperation program instituted by President Johnson in February 1965. Such utilization of the applicant is contemplated to include assistance in the financing of certain aspects of the acquisition of not less than a controlling interest in Braun A.G., a German corporation having its principal place of business at Frankfurt, Germany, and engaged in the business of manufacturing and selling electric shavers; small household appliances; electronic products, including radios, stereo phonographs, and tape recorders; and photographic equipment, including motion picture cameras, slide and movie projectors and photoflash guns. A substantial amount of the net proceeds of the Debentures are expected to be used to assist Gillette directly or indirectly in financing the acquisition of the Braun A.G., stock and the balance is expected to be used in otherwise financing the foreign operations of Gillette. Shares of stock of Braun A.G. proposed to be acquired will be held by the applicant, Gillette or other Gillette foreign fully owned subsidiaries.

The Debentures are to be sold by the Underwriters under conditions which are intended to assure that the Debentures will not be sold to nationals, citizens, or residents of the United States. Any additional debt securities of the applicant which may be offered to the public in the future will be sold under substantially similar conditions.

In connection with the intended issue and sale of the Debentures, applicant has requested certain rulings from the Internal Revenue Service, and it is expected that the Internal Revenue Service will

rule, among other things, that U.S. persons (as defined in the Interest Equalization Tax Act) will be required to report and pay Interest Equalization Tax with respect to the acquisition of the Debentures from applicant or other persons except where a specific statutory exemption is available, and in that event, by financing these various foreign operations through the applicant rather than through the sale of its own debt obligations, Gillette will utilize an instrumentality the acquisition of whose debt obligations by U.S. persons would generally subject such persons to the Interest Equalization Tax, thus discouraging them from purchasing such debt obligations. The Debentures will bear a legend stating that U.S. persons (as so defined) may be liable for such tax.

Applicant submits that it is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act for the Commission to enter an order exempting applicant from each and every provision of the Act for the following reasons: (1) A significant purpose of the applicant is to assist in improving the balance-of-payments program of the United States by obtaining funds for foreign operations in foreign countries; (2) The payment of the Debentures which is guaranteed by Gillette and the value of the right to convert the Debentures into shares of Gillette's common stock, does not depend on the operation or investment policy of applicant for the Debenture holders may ultimately look to the business enterprise of Gillette which has net assets in excess of $150 million. Accordingly, the public policy which dictated the enactment of the Act is not applicable to applicant nor do the security holders of applicant require the protection afforded by the Act; (3) None of the securities of applicant, other than debt securities, will be held by any person other than Gillette. Any additional debt securities of applicant issued to or held by the public will be guaranteed by Gillette in a manner substantially similar to the guarantee of the Debentures; (4) Applicant will not deal or trade in any securities; (5) Applicant's security holders will have the benefit of disclosure and reporting provisions of the Securities Exchange Act of 1934 and the New York Stock Exchange; (6) The Debentures will be sold only to foreign nationals and the burden of the Interest Equalization Tax will discourage resale to any U.S. national, citizen, or resident.

Notice is further given that any interested person may, not later than November 15, 1967, at 5:30 p.m., submit to the Commission in writing a request for hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67–13044; Filed, Nov. 3, 1967; 8:47 a.m.]

JODMAR INDUSTRIES, INC.

Order Suspending Trading

OCTOBER 30, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Jodmar Industries, Inc., 1790 East 93d Street, Brooklyn, N.Y., and all other securities of Jodmar Industries, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 31, 1967, through November 9, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67–13045; Filed, Nov. 3, 1967; 8:47 a.m.]

[70–4552]

MISSISSIPPI POWER & LIGHT CO.

Notice of Proposed Transfer from Earned Surplus to Common Stock Capital Account

OCTOBER 30, 1967.

Notice is hereby given that Mississippi Power & Light Co. ("MP&L"), Post Office Box 1640, Jackson, Miss. 39205, an electric utility subsidiary company of Middle South Utilities, Inc., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 6(a) and 7 of the Act as applicable to the proposed transaction. All interested persons are referred to the declaration which is summarized below, for a complete statement of the proposed transaction.

MP&L proposes to transfer from earned surplus to the common stock capital account the sum of $3,100,000—the equivalent of $1 for each of the 3,100,000 shares of common stock (no par value) now outstanding. At August 31, 1967, the common stock capital and the earned surplus of MP&L amounted to $55,800,000 and $12,586,947, respectively. Giving effect to the proposed transfer, common stock capital would be increased to $58,900,000 and earned surplus would be reduced to $9,486,947. The transaction is proposed for the principal purpose of effectuating a permanent capitalization of a portion of the company's earned surplus.

It is stated that the fees and expenses in connection with the proposed transaction are estimated not to exceed $1,000, including legal fees. It is further stated that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than November 20, 1967, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67–13046; Filed, Nov. 3, 1967; 8:47 a.m.]

[File No. 7-2756, 7-2757]

TRANS INTERNATIONAL AIRLINES CORP.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

OCTOBER 30, 1967.

In the matter of applications of the Philadelphia-Baltimore-Washington Stock Exchange, for unlisted trading privileges in certain securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
Trans International Airlines Corporation	7-2756
Ex-Cell-O Corporation	7-2757

Upon receipt of a request, on or before November 13, 1967, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-13047; Filed, Nov. 3, 1967; 8:47 a.m.]

[File Nos. 2-25782(22-4296), 2-14423(22-2448)]

SCM CORP.

Notice of Application and Opportunity for Hearing

OCTOBER 31, 1967.

Notice is hereby given that SCM Corp. ("SCM") has filed an application under clause (ii) of section 310(b)(1) of the Trust Indenture Act of 1939 (the "Act") for a finding that the trusteeship of the First National City Bank ("First National") under two indentures of SCM is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify First National from acting as trustee under either of such indentures.

Section 310(b) of the Act provides in part that if a Trustee under an indenture qualified under the Act has or shall acquire any conflicting interest (as defined in the section), it shall within 90 days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of this section provides, in effect, with certain exceptions, that a trustee under an indenture shall be deemed to have a conflicting interest if such trustee is trustee under another indenture under which any other securities, or certificates of interest or participation in any other securities, of the same issuer are outstanding. However, under clause (ii) of section (1), there may be excluded from the operation of this provision another indenture or indentures under which other securities of the issuer are outstanding, if the issuer shall have sustained the burden of proving, on application to the Commission and after opportunity for hearing thereon, that trusteeship under both indentures is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under one of such indentures.

The Corporation alleges that:

(1) On September 22, 1967, the Glidden Co. ("Glidden"), an Ohio corporation, was merged into SCM, a New York corporation, the applicant herein, pursuant to an Agreement and Plan of Merger (the "Plan"), dated as of June 15, 1967, as amended.

(2) SCM has issued and outstanding $20 million principal amount of 5¾ percent Sinking Fund Debentures due February 1, 1987, under an Indenture (the "SCM Indenture"), dated as of February 1, 1967, between SCM and First National, Trustee.

(3) At the time of the merger Glidden had issued and outstanding $23,995,000 principal amount of 4¾ percent Sinking Fund Debentures due November 1, 1983 under an Indenture (the "Glidden Indenture"), dated as of November 1, 1958, between Glidden and City Bank Farmers Trust Co., Trustee (First National being successor trustee).

(4) Both such indentures were qualified under the Act. In connection with the merger, consents were obtained from the holders of the SCM and Glidden debentureholders to certain modifications of such indentures. Supplemental indentures reflecting such modifications were subsequently executed and delivered to First National. As used herein, the terms "SCM Indenture" and "Glidden Indenture" means such indentures as so supplemented.

(5) Upon the effectiveness of the merger of Glidden into SCM, SCM assumed all of Glidden's obligations under the Glidden Indenture. SCM has become the successor obligor under the Glidden Indenture and is the obligor under the SCM Indenture. First National is Trustee under both indentures.

(6) The SCM Indenture and the Glidden Indenture are wholly unsecured and the SCM Debentures and the Glidden Debentures are general obligations of SCM, of equal rank and without priority or preference of either one over the other.

(7) The differences between the SCM and Glidden Indentures are not so likely to involve First National, as Trustee under such Indentures, in a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify First National from acting as Trustee under the SCM Indenture and under the Glidden Indenture.

(8) SCM waives notice of hearing, and waives hearing, in connection with this matter.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to such application which is on file in the offices of the Commission at 500 North Capitol Street, Washington, D.C. 20549.

Notice is further given that any interested person may, not later than November 30, 1967, request in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. At any time after said date, the Commission may issue an order granting the application, upon terms and conditions as the Commission may deem necessary or appropriate in the public interest and the interest of investors, unless a hearing is ordered by the Commission.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-13058; Filed, Nov. 3, 1967; 8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30 (New York Area) Amdt. 2]

REGIONAL DIRECTORS

Delegation of Authority To Conduct Program Activities in New York Area

Pursuant to the authority delegated to the Area Administrators by Delegation of Authority No. 30 (Revision 12) 32 F.R. 179, Delegation of Authority No. 30 New York 32 F.R. 3032 and 32 F.R. 4331 is hereby amended by revising Item II.I. to read as follows:

II. *Regional Directors—I. Chief, Accounting, Clerical, and Training Division.*

1. To purchase reproductions of loan

documents, chargeable to the revolving fund, requested by U.S. attorney in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines, and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of disaster loan offices, to obligate Small Business Administration to reimburse General Services Administration for the rental of office space.

4. To rent motor vehicles for the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

* **5. To cancel, reinstate, modify and amend authorizations for business, economic opportunity and disaster loans.

**6. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.*

* **7. To approve final actions concerning current direct or participation loans:

a. Use of the cash surrender value of life insurance to pay the premium on the policy.

b. Release of dividends of life insurance or consent to application against premiums.

c. Minor modifications in the authorization.

d. Adjustment of interest payment dates.

e. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

f. Release of equipment with or without consideration where the value of equipment being released does not exceed $200.*

Effective date: September 7, 1967.

CHARLES H. KRIGER,
Area Administrator,
New York Area.

[F.R. Doc. 67-13059; Filed, Nov. 3, 1967; 8:48 a.m.]

[Delegation of Authority No. 30 (Pacific Coastal Area) Amdt. 3]

BRANCH MANAGER, AGANA, GUAM

Delegation of Authority To Conduct Program Activities in the Pacific Coastal Area

Pursuant to the authority delegated to the Area Administrators by Delegation of Authority No. 30 (Revision 12) 32 F.R. 179, and Amendment 1, 32 F.R. 8113, Delegation of Authority No. 30 (Pacific Coastal Area), 32 F.R. 1203, 32 F.R. 3188, and 32 F.R. 13243, is hereby amended by revising Item III to read as follows:

III. *Branch Manager—Agana, Guam—A. Financial assistance.* 1. To approve or decline direct loans not in excess of $50,000 and participation loans not in excess of $50,000 (SBA share).

2. To approve or decline economic opportunity loans not in excess of $25,000 (SBA share).

3. To close and disburse approved business, economic opportunity and disaster loans.

4. To enter into business loan participation agreements with banks.

5. To execute loan authorizations for Washington, area, and regional approved loans and loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,
By ----------
(Name)
Title of person signing.

6. To cancel, reinstate, modify and amend authorizations for business, economic opportunity and disaster loans.

7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

8. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorizations.

9. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

10. To take all necessary actions in connection with the administration, servicing, and collection, other than those accounts classified as "in liquidation"; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use in liquidity privileges under the loan guaranty plan.

d. Except: (a) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (b) to deny liability of the Small Business Administration under the terms of a participation of guaranty agreement or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

11. *Size determination for financial assistance only.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, except sections 501 and 502 loans; and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

12. *Eligibility determinations for financial assistance only.* To determine eligibility of applicants for assistance under any program of the Agency, except sections 501 and 502 loans; in accordance with Small Business Administration standards and policies.

Effective date: October 11, 1967.

WILLIAM S. SCHUMACHER,
Area Administrator.

[F.R. Doc. 67-13060; Filed, Nov. 3, 1967; 8:48 a.m.]

[Delegation of Authority No. 30 (Southeastern Area), Rev. 1]

AREA COORDINATORS ET AL, SOUTHEASTERN AREA, ATLANTA, GA.

Delegation of Authority To Conduct Program Activities in the Southeastern Area

Pursuant to the authority delegated to the Area Administrators by Delegation of Authority No. 30 (Rev. 12), 32 F.R. 179, dated January 7, 1967, and Amendment 1, 32 F.R. 8113, dated June 6, 1967, the following authority is hereby redelegated to the positions as indicated herein:

I. *Area Coordinators—A. Economic Development Coordinator.* **1. To approve or decline section 501 State Development Company loans without dollar limitation and section 502 Local Development Company loans up to $350,000 (SBA share).

2. To close and disburse sections 501 and 502 loans.

3. To extend the disbursement period on sections 501 and 502 loan authorizations or undisbursed portions of sections 501 and 502 loans.

4. To cancel wholly or in part undisbursed balances of partially disbursed sections 501 and 502 loans.

5. To take all necessary actions in connection with the administration, servicing, and collection; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing.

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts,

patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. Except: (a) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (b) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

6. Eligibility determinations (for financial assistance only): To determine eligibility of applicants for assistance under the sections 501 and 502 programs of the Agency in accordance with Small Business Administration standards and policies.

7. Size determinations (for financial assistance only): To make initial size determinations in all sections 501 and 502 loans within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for sections 501 and 502 loans only. Product classification decisions for procurement purposes are made by contracting officers.

B. *Supervisory Loan Officer (economic development).* 1. To close and disburse sections 501 and 502 loans.

2. To extend the disbursement period on sections 501 and 502 loan authorizations or undisbursed portions of sections 501 and 502 loans.

3. To cancel wholly or in part undisbursed balances of partially disbursed sections 501 and 502 loans.

4. To take all necessary actions in connection with the administration, servicing, and collections; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. Except: (a) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (b) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

C. *Loan Officer (economic development).* 1. To close and disburse sections 501 and 502 loans.

2. To extend the disbursement period on sections 501 and 502 loans.

3. To cancel wholly or in part undisbursed balances of partially disbursed sections 501 and 502 loans.

4. To approve final actions concerning current direct, participation, and 40-percent First Mortgage Plan—501 and 502 loans:

a. Use of the cash surrender value of life insurance to pay the premium on the policy.

b. Release of dividends of life insurance or consent to applications against premiums.

c. Minor modifications in the authorization.

d. Extension of disbursement period.

e. Extension of initial principal payments.

f. Adjustment of interest payment dates.

g. Release of hazard insurance checks not in excess of $500 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

h. Release of equipment with or without consideration where the value of equipment being released does not exceed $500.

D. *Liquidation and Disposal Coordinator.* 1. To take all necessary actions in connection with the liquidation and disposal of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents, and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. To take all necessary action in liquidating Economic Development Administration loans and acquired collateral when and as authorized by Economic Development Administration.

d. To advertise regarding the public sale of (a) collateral in connection with the liquidation of loans, and (b) acquired property.

e. Except: (a) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; (b) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

E. *Supervisory Liquidation and Disposal Officer.* 1. To take all necessary actions in connection with the liquidation and disposal of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal, and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. To take all necessary action in liquidating Economic Development Administration loans and acquired collateral when and as authorized by Economic Development Administration.

d. To advertise regarding the public sale of (a) collateral in connection with the liquidation of loans and (b) acquired property.

e. Except: (a) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon: (b) to deny liability of the

Small Business Administration under the terms of a participating or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement; and (c) the cancellation of authority to liquidate.

F. *Area Claims Review Committee.* To consist of the liquidation and disposal coordinator, area counsel and the area supervisory appraiser who will meet and consider reasonable and properly supported compromise proposals of indebtedness owed to the Agency and to take final action on such proposals provided such action represents the majority recommendation of the committee on claims not in excess of $5,000 (including CPC advances but excluding interest), or represents the unanimous recommendation of said committee on claims in excess of $5,000 but not exceeding $100,000 (including CPC advances but excluding interest).

G. *Financial Assistance Coordinator*—1. *Eligibility Determinations (for financial assistance only).* To determine eligibility of applicants for assistance under any program of the Agency, except sections 501 and 502 loans, in accordance with Small Business Administration standards and policies.

2. *Size determinations (for financial assistance only).* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, except sections 501 and 502 loans; and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

H. *Procurement and Management Assistance Coordinator*—1. *Eligibility determinations (for PMA activities only).* To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

2. *Size determinations (for PMA activities only).* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

I. *Area Administrative Officer.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorneys in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; and (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to obligate Small Business Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. *Regional Directors*—A. *Financial assistance.* 1. To approve business and disaster loans not exceeding $350,000 (SBA share) and economic opportunity loans not exceeding $25,000 (SBA share).

2. To decline business, economic opportunity, and disaster loans of any amount.

3. To close and disburse approved loans.

4. To enter into business, economic opportunity and disaster loan participation agreements with banks.

5. To execute loan authorizations for Washington and area approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,
By ----------
(Name)
Regional Director
(City)

6. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity, and disaster loans.

7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

8. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

9. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

*** 10. To establish disaster field offices upon receipt of advice of the designation of a disaster area; to advise on the making of disaster loans; to appoint as a processing representative any bank in the disaster area; and to close disaster field offices when no longer advisable to maintain such offices.

11. To take all necessary actions in connection with the administration, servicing and collection, other than those accounts classified as "in liquidation"; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposits, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. Except: (a) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (b) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

B. *Size determinations.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, except sections 501 and 502 loans, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

C. *Eligibility determinations.* To determine eligibility of applicants for assistance under any program of the Agency, except sections 501 and 502 loans, in accordance with Small Business Administration standards and policies.

D. *Administration.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorneys in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines, and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to obligate Small Business Administration to reimburse the General Services Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

E. *Chiefs, Financial Assistance Divisions (and Assistant Chiefs, if assigned).* 1. Size determinations for financial assistance only: To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, except sections 501 and 502 loans, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

2. Eligibility determinations for financial assistance only: To determine eligibility of applicants for assistance under any program of the Agency, except sections 501 and 502 loans, in accordance

with Small Business Administration standards and policies.

3. To approve business and disaster loans not exceeding $350,000 (SBA share), and economic opportunity loans not exceeding $25,000 (SBA share).

4. To close and disburse approved business, economic opportunity, and disaster loans.

5. To decline business, economic opportunity and disaster loans of any amount.

6. To enter into business, economic opportunity, and disaster loan participation agreements with banks.

7. To execute loan authorization for Washington, area, and regional approved loans and loans approved under delegated authority said execution to read as follows:

(Name), Administrator,
By ----------
(Name)
Title of person signing.

8. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity and disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing and collection, other than those accounts classified as "in liquidation"; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilges under the loan guaranty plan.

d. Except: (a) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (b) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

F. *Supervisory loan officer.* 1. To approve or decline direct loans not in excess of $50,000 and participation loans not in excess of $50,000 (SBA share).

2. To approve or decline economic opportunity loans not in excess of $25,000 (SBA share).

3. To close and disburse approved business, economic opportunity and disaster loans.

4. To enter into business loan participation agreements with banks.

5. To execute loan authorizations for Washington area and regional approved loans and loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,
By ----------
(Name)
Title of person signing.

6. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity and disaster loans.

7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

8. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

9. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

10. To take all necessary actions in connection with the administration, servicing, and collection, other than those accounts classified as "in liquidation"; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privileges under the loan guaranty plan.

d. Except: (a) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (b) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation of guaranty agreement.

11. Size determinations for financial assistance only: To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended except sections 501 and 502 loans, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

12. Eligibility determinations for financial assistance only: To determine eligibility of applicants for assistance under any program of the Agency, except sections 501 and 502 loans, in accordance with Small Business Administration standards and policies.

G. *Loan Officer.* 1. To approve final actions concerning current direct or participation loans:

a. Use of the cash surrender value of life insurance to pay the premium on the policy.

b. Release of dividends of life insurance or consent to application against premiums.

c. Minor modifications in the authorization.

d. Extension of disbursement period.

e. Extension of initial principal payments.

f. Adjustment of interest payment dates.

g. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

h. Release of equipment with or without consideration where the value of equipment being released does not exceed $200.

2. To close and disburse approved business, economic opportunity and disaster loans.

H. *Regional Counsel (reserved).*

I. *Chief, Accounting, Clerical and Training Division.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorney in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines, and rent regular office equipment and

furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to obligate Small Business Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

** 5. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity and disaster loans.

** 6. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.*

** 7. To approve final actions concerning current direct or participation loans:

a. Use of the cash surrender value of life insurance to pay the premium on the policy.

b. Release of dividends of life insurance or consent to application against premiums.

c. Minor modifications in the authorization.

d. Adjustment of interest payment dates.

e. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

f. Release of equipment with or without consideration where the value of equipment being released does not exceed $200.*

J. *Assistant Chief, Accounting, Clerical and Training division.* 1. To purchase reproduction of loan documents, chargeable to the revolving fund, requested by U.S. attorney in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines, and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to obligate Small Business Administration to reimburse General Services Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

III. *Branch Managers (reserved)*

IV. The specific authority delegated herein, indicated by double asterisks (**) cannot be redelegated.

V. The authority delegated herein to a specific position may be exercised by any SBA employee designated as acting in that position.

VI. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date: April 6, 1967.

WILEY S. MESSICK,
Area Administrator,
Southeastern Area.

[F.R. Doc. 67-13061; Filed, Nov. 3, 1967; 8:48 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING THE EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.) and Administrative Order No. 595 (31 F.R. 12981) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. For each certificate, the effective and expiration dates, number or proportion of learners and the principal product manufactured by the establishment are as indicated. Conditions on occupations, wage rates, and learning periods which are provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations; such conditions in certificates not issued under the supplemental industry regulations are as indicated.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.20 to 522.25, as amended).

The following normal labor turnover certificates authorize 10 percent of the total number of factory production workers except as otherwise indicated.

Aalfs Manufacturing Co., Sheldon, Iowa; 10-1-67 to 9-30-68; 10 learners (ladies' jeans).

Abbeville Shirt Co., Abbeville, S.C.; 10-3-67 to 10-2-68 (sport shirts).

Armory Garment Co., Inc., Armory, Miss.; 10-16-67 to 10-15-68 (men's and boys' trousers).

Annesco, Inc., Anderson, S.C.; 10-1-67 to 9-30-68; 5 learners (men's shirts).

Apco Manufacturing Co., Brodhead, Wis.; 10-11-67 to 10-10-68 (infants' and children's cotton knit polo shirts).

Big Yank Corp., Tyrone, Pa.; 10-18-67 to 10-17-68 (men's work pants).

Blue Bell, Inc., Arab, Ala.; 10-17-67 to 10-16-68 (men's, boys', ladies' and girls' wranglers).

Blue Bell, Inc., Oneonta, Ala.; 10-17-67 to 10-16-68 (men's and boys' coveralls and outerwear jackets).

Branchville Shirt Co., Branchville, S.C.; 10-16-67 to 10-15-68 (men's work shirts).

Bruce Co., Inc., Ottawa, Kans.; 9-28-67 to 9-27-68 (men's work clothes).

Bryan Infants' Wear, Inc., Tulsa, Okla.; 9-29-67 to 9-28-68; 10 learners (infants' wear).

Carolina Lingerie Co., Inc., Mocksville, N.C.; 9-30-67 to 9-29-68 (men's pajamas and ladies' dresses).

Cluett Peabody & Co., Inc., doing business as The Arrow Co., Carbon Hill, Ala.; 10-15-67 to 10-14-68 (men's and boys' dress shirts).

Covington Manufacturing Co., Covington, Ind.; 10-16-67 to 10-15-68; 10 learners (men's and boys' outerwear jackets).

Cowden-Morehead Co., Morehead, Ky.; 10-1-67 to 9-30-68 (men's and boys' dungarees).

Dublin Sportswear, Inc., Dublin, Tex.; 10-15-67 to 10-14-68 (boys' pants).

Dunbrooke Shirt Co., El Dorado Springs, Mo.; 10-1-67 to 9-30-68 (men's sport shirts).

Elder Manufacturing Co., Ste. Genevieve, Mo.; 9-19-67 to 9-18-68 (boys' shirts).

The Enro Shirt Co., Inc., South Bend, Ind.; 9-23-67 to 9-22-68 (men's pajamas).

Ephrata Apparel Co., Ephrata, Pa.; 10-6-67 to 10-5-68 (children's dresses).

E & W of Kennett, Inc., Kennett, Mo.; 10-12-67 to 10-11-68 (men's and boys' shirts).

Joyner-Fields, Inc., Sherman, Miss.; 10-15-67 to 10-14-68 (men's sports shirts).

Miss Mary Fashions, Inc., Carbondale, Pa.; 9-29-67 to 9-28-68; 5 learners (ladies' dresses).

Form-O-Uth Bra. Co., Inc., doing business as Marie Foundations, Pampa, Tex.; 10-14-67 to 10-13-68 (bras and girdles).

Form-O-Uth Bra. Co., Inc., doing business as Marie Foundations, McLean, Tex.; 9-30-67 to 9-29-68 (bras and girdles).

Glenn Manufacturing Co., Inc., Amory, Miss.; 10-15-67 to 10-14-68 (men's, boys', and ladies' slacks and walking shorts).

Greensboro Manufacturing Corp., Greensboro, N.C., 10-19-67 to 10-18-68 (women's flannette and cotton nightwear).

Gross Galesburg Co., Galesburg, Ill.; 10-1-67 to 9-30-68; 10 learners (work jackets and coveralls).

Hagale Garment Manufacturing Co., Reeds Spring, Mo.; 10-10-67 to 10-9-68 (men's and boys' dress pants).

Harrisburg Children's Dress Co., Harrisburg, Pa.; 10-26-67 to 10-25-68 (children's and girls' dresses and playsuits).

Heavy Duty Manufacturing Co., Gainesboro, Tenn.; 10-28-67 to 10-27-68 (men's and boys' sport shirts and pajamas).

Irene Sportswear Co., Inc., Plant No. 2, Dalton, Pa.; 10-10-67 to 10-9-68; 10 learners (ladies' dresses).

Jeanco, Inc., Petersburg, Va.; 9-24-67 to 9-23-68 (boys' jeans).

Johnson Garment Corp., Marshfield, Wis.; 9-27-67 to 9-26-68; 6 learners (men's and boys' parkas).

Kellwood Co., Southern Division, Alamo, Tenn.; 10-9-67 to 10-8-68 (foundation garments).

Kenrose Manufacturing Co., Inc., Roanoke, Va.; 10-19-67 to 10-18-68 (women's dresses and blouses).

Kent Sportswear, Inc., Curwensville, Pa.; 9-28-67 to 9-27-68 (men's outerwear jackets).

Kent Uniforms, Inc., Burkesville, Ky.; 10-2-67 to 10-1-68 (nurses' and waitresses' uniforms).

Lebanon Garment Co., Lebanon, Tenn.; 10-15-67 to 10-14-68 (men's and boys' trousers).

Lexington Sportswear Co., Lexington, S.C.; 10-3-67 to 10-2-68 (men's and boys' outerwear jackets).

Logan Manufacturing Co., Russellville, Ky.; 10-2-67 to 10-1-68 (men's work pants).

Miller Manufacturing Co., Inc., Joplin, Mo.; 9-27-67 to 9-26-28 (trousers and shirts).

Mitchell Manufacturing Inc., Corinth, Miss.; 10-20-67 to 10-19-68 (men's sport shirts).

Murcel Manufacturing Corp., Glennville, Ga.; 10-12-67 to 10-11-68; 10 learners (maids' and nurses' uniforms).

Nemo Foundations of W. Va., Inc., Beckley, W. Va.; 9-25-67 to 9-24-68; 10 learners (brassieres).

Newsport News Children's Dress Co., Newport News, Va.; 10-20-67 to 10-19-68 (children's dresses).

Oshkosk B'Gosh, Inc., Celina Division, Celina, Tenn.; 10-8-67 to 10-7-68 (men's work pants and shirts).

Phillips-Van Heusen Corp., Ozark, Ala.; 10-4-67 to 10-3-68 (pajamas).

Publix Shirt Corp., Myerstown, Pa.; 10-15-67 to 10-14-68 (men's and boys' dress shirts).

Rappahannock Sportswear Co., Inc., Fredericksburg, Va.; 10-9-67 to 10-8-68 (men's and ladies' slacks).

Red Hill Apparel Co., Red Hill, Pa.; 10-6-67 to 10-5-68 (children's dresses).

Ringer Co., Park Rapids, Minn.; 10-16-67 to 10-15-68 (men's shirts).

Riverside Industries, Inc., Moultrie, Ga.; 9-25-67 to 9-24-68; 10 learners (men's work pants).

Riverside Manufacturing Co., Moultrie, Ga.; 9-25-67 to 9-24-68 (men's work clothes).

J. H. Rutter Rex Manufacturing Co., Inc., New Orleans, La.; 10-11-67 to 10-10-68 (men's and boys' work pants).

Henry I. Siegel Co., Inc., South Fulton, Tenn.; 10-14-67 to 10-13-68 (men's and boys' pants).

Southern Garment Co., Robbins, N.C.; 10-12-67 to 10-11-68; 10 learners (women's wash dresses).

Susan Garment, Inc., Lebanon, Pa.; 9-29-67 to 9-28-68; 10 learners (ladies' blouses and dresses).

Susan Garment, Inc., Bethel, Pa.; 9-29-67 to 9-28-68; 10 learners (ladies' blouses and dresses).

Southland Manufacturing Co., Inc., Wilmington, N.C.; 10-3-67 to 10-2-68 (men's and boys' shirts).

Standard Romper Co., Inc., Portland, Me.; 10-4-67 to 10-3-68 (children's shirts).

Standard Romper Co., Inc., Brunswick, Me.; 10-27-67 to 10-26-68 (children's pants).

Standard Romper Co., Inc., Central Falls, R.I.; 10-15-67 to 10-14-68 (children's outer garments).

Levi Strauss & Co., Denison, Tex.; 9-27-67 to 9-26-68 (men's and boys' slacks).

Sullcraft Manufacturing Co., Inc., Dushore, Pa.; 10-4-67 to 10-3-68 (boys' pajamas).

Sunstate Sportswear of Vienna, Inc., Vienna, Ga.; 10-9-67 to 10-8-68; 10 learners (men's trousers).

Toll-Gate Garment Co., Hamilton, Ala.; 10-1-67 to 9-30-68 (men's and boys' dress and sport shirts).

The Van Heusen Co., Clayton, Ala.; 10-4-67 to 10-3-68 (dress shirts).

The Van Heusen Co., Fort Payne, Ala.; 9-21-67 to 9-20-68 (boys' dress and sport shirts).

The Van Heusen Co., Geneva, Ala.; 10-4-67 to 10-3-68 (men's shirts).

The Van Heusen Co., Hartford, Ala.; 10-4-67 to 10-3-68 (men's dress shirts).

Vista Slack Corp., Chula Vista, Calif.; 9-30-67 to 9-29-68 (men's slacks).

Washington Garment Co., Inc., Washington, N.C.; 10-24-67 to 10-23-68 (children's dresses).

Wendell Garment Co., Inc., Wendell, N.C.; 9-5-67 to 9-4-68 (men's sport shirts).

Westmoreland Manufacturing Co., Westmoreland, Tenn.; 9-21-67 to 9-20-68 (ladies' blouses).

J. M. Wood Manufacturing Co., Inc., Dublin, Tex.; 10-5-67 to 10-4-68 (men's work pants).

The following plant expansion certificates were issued authorizing the number of learners indicated.

Bland Sportswear, Inc., Bland, Va.; 10-2-67 to 4-1-68; 35 learners (children's pants and outerwear jackets).

Nemo Foundations of W. Va., Inc., Beckley, W. Va.; 9-25-67 to 3-24-68; 30 learners (brassieres).

Ringer Co., Park Rapids, Minn.; 10-16-67 to 4-15-68; 60 learners (men's shirts).

Salant & Salant, Inc., Lawrenceburg, Tenn., Loretto, Tenn.; 10-23-67 to 4-22-68; 100 learners (men's work shirts and men's and boys' outerwear jackets and jeans).

Tom & Huck Togs, Inc., Columbus, Miss.; 10-2-67 to 4-1-68; 75 learners (men's and boys' dress and sport pants).

The Van Heusen Co., Hazen, Ark.; 10-2-67 to 4-1-68; 50 learners (men's dress shirts).

Cigar Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.80 to 522.85, as amended).

Bayuk Cigars, Inc., Selma, Ala.; 9-29-67 to 9-28-68; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.60 to 522.65, as amended).

Boss Manufacturing Co., Greenville, Ala.; 9-27-67 to 9-26-68; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Burnham-Edina Manufacturing Co., Edina, Mo.; 10-2-67 to 10-1-68; 5 learners for normal labor turnover purposes (work gloves).

The Glove Corp., Heber Springs, Ark.; 9-25-67 to 3-24-68; 10 learners for plant expansion purposes (work gloves).

The Granet Glove Corp., South Royalton, Vt.; 10-15-67 to 10-14-68; 5 learners for normal labor turnover purposes (work gloves).

Monte Glove Co., Inc., Maben, Miss.; 10-7-67 to 10-6-68; 10 learners for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Amos Hosiery Mills, Inc., High Point, N.C.; 10-12-67 to 10-11-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Great American Knitting Mills, Inc., Bally, Bechtel, and Norristown, Pa.; 10-1-67 to 9-30-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Harriman Hosiery Co., Harriman, Tenn.; 10-1-67 to 9-30-68; 5 percent of the total number of factory production workers for normal labor tournover purposes (seamless).

Indian Head Hosiery Co., Division of Joseph Bancroft & Sons Co., Paducah, Ky.; 10-1-67 to 9-30-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Morganton Hosiery Mills, Inc., Morganton, N.C.; 10-1-67 to 9-30-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (full-fashioned, seamless).

Ragan Knitting Co., Inc., Ragan Knitting Co.-(Wrenn Division), Thomasville, N.C.; 9-29-67 to 9-28-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Scottsboro Hosiery Co., Scottsboro, Ala.; 10-9-67 to 10-8-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Knitted Wear Industry Lerner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Benham Corp., Scottsboro, Ala.; 10-1-67 to 9-30-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (infants' polo shirts and creeper sets, men's and boys' woven underwear).

Buckeye Industries, Inc., Buckeye, Ariz.; 9-25-67 to 3-24-68; 50 learners for plant expansion purposes (ladies' nylon knit sleepwear).

Casa Grande Mills, Division of Parsons & Baker Co., Casa Grande, Ariz.; 9-30-67 to 3-29-68; 40 learners for plant expansion purposes (infants' cotton knit underwear and men's and boys' briefs).

Dothan Manufacturing Co., Dothan, Ala.; 9-30-67 to 9-29-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's pajamas and underwear).

East Tennessee Undergarment Co., Inc., Elizabethton, Tenn.; 9-27-67 to 9-26-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' and children's nylon and rayon undergarments).

Norwich Mills, Inc., Clayton, N.C.; 10-1-67 to 9-30-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' cotton knit tee shirts and briefs).

Russell Mills, Inc., Alexander City, Ala.; 10-1-67 to 9-30-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (knit underwear and sleepwear).

Standard Romper Co., Inc., Pawtucket, R.I.; 10-12-67 to 10-11-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (children's knit shirts).

Sylvester Textile Corp., Sylvester, Ga.; 10-22-67 to 10-21-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' lingerie and sleepwear).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods and the number of learners authorized to be employed, are indicated.

Bonita, Inc., Cayey, P.R.; 9-1-67 to 8-31-68; 10 learners for normal labor turnover purposes in the occupations of: (1) Sewing machine operating, for a learning period of 320 hours at the rate of 95 cents an hour, and (2) pressing, for a learning period of 160 hours at the rate of 95 cents an hour (skirts).

Bonita, Inc. (Swimwear Division), Cayey, P.R.; 9-1-67 to 8-31-68; 10 learners for normal labor turnover purposes in the occupations of machine stitching, pressing, each for a learning period of 320 hours at the rates of 98 cents an hour for the first 160 hours and $1.15 an hour for the remaining 160 hours (swimwear and brassieres for swimwear).

Boqueron Manufacturing Corp., Cabo Rojo, P.R.; 9-11-67 to 3-10-68; 70 learners for plant expansion purposes in the occupations of knitting, toe sewing (seaming), preboarding, each for a learning period of 240 hours at the rate of 80 cents an hour (ladies' seamless hosiery).

Consolidated Cigar Corp. of Cayey, Cayey, P.R.; 9-11-67 to 9-10-68; 105 learners for normal labor turnover purposes in the occupations of cigar making, packing, each for a learning period of 320 hours at the rates of $1.05 an hour for the first 160 hours and $1.16 an hour for the remaining 160 hours (cigars).

Consolidated Cigar Corp., Caguas, P.R.; 8-8-67 to 8-7-68; 70 learners for normal labor turnover purposes in the occupations of cigar making, packing, each for a learning period of 320 hours at the rates of $1.05 an hour for the first 160 hours and $1.16 an hour for the remaining 160 hours (cigars).

Consolidated Caguas Corp., Caguas, P.R.; 8-8-67 to 8-7-68; 23 learners for normal labor turnover purposes in the occupations of cigar

making, packing, each for a learning period of 320 hours at the rates of $1.05 an hour for the first 160 hours and $1.16 an hour for the remaining 160 hours (cigars).

Finrico, Inc., Cayey, P.R.; 9–11–67 to 9–10–68; 10 learners for normal labor turnover purposes in the occupation of machine stitching, for a learning period of 320 hours at the rates of 98 cents an hour for the first 160 hours and $1.15 an hour for the remaining 160 hours (sweaters).

Isabel Products, Inc., Santa Isabel, P.R.; 9–1–67 to 8–31–68; 10 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.03 an hour (girdles and brassieres).

Joya Mills, Inc., Toa Baja, P.R.; 8–28–67 to 8–27–68; 10 learners for normal labor turnover purposes in the occupation of knitting, for a learning period of 480 hours at the rates of 98 cents an hour for the first 240 hours and $1.15 an hour for the remaining 240 hours (full-fashioned sweaters).

Laric Manufacturing Corp., Luquillo, P.R.; 9–11–67 to 3–10–68; 15 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.03 an hour (garter belts, girdles and brassieres).

Rosita Mills, Inc., Toa Baja, P.R.; 8–28–67 to 8–27–68; 10 learners for normal labor turnover purposes in the occupation of knitting, for a learning period of 480 hours at the rates of 98 cents an hour for the first 240 hours and $1.15 an hour for the remaining 240 hours (full-fashioned knitted outerwear).

Sabana Grande Manufacturing Corp., Sabana Grande, P.R.; 8–1–67 to 7–31–68; 33 learners for normal labor turnover purposes in the occupations of: (1) Looping, for a learning period of 960 hours at the rates of 80 cents an hour for the first 480 hours and 87 cents an hour for the remaining 480 hours; (2) mending, for a learning period of 720 hours at the rates of 80 cents an hour for the first 360 hours and 87 cents an hour for the remaining 360 hours; and (3) knitting, examining, and inspecting, each for a learning period of 240 hours at the rate of 80 cents an hour (ladies' seamless hosiery).

Sira Corp., Mayaguez, P.R.; 8–21–67 to 8–20–68; 10 learners for normal labor turnover purposes in the occupation of machine stitching, for a learning period of 480 hours at the rates of 90 cents an hour for the first 240 hours and $1.03 an hour for the remaining 240 hours.

Each learner certificate has been issued upon the representations of the employer, which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR, Part 528.

Signed at Washington, D.C., this 27th day of October 1967.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 67–13084; Filed, Nov. 3, 1967; 8:50 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 486]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 1, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 42286 (Sub-No. 5 TA), filed October 27, 1967. Applicant: RIZZO TRUCKING, INC., 71 North Fifth Street, Brooklyn, N.Y. 11211. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packinghouse products* as described in sections A, B, and C in Appendix 1 to report in 61 MCC 209 and 766, from points in the New York, N.Y., commercial zone to points in Bergen, Essex, Hudson, Morris, Passaic, and Union Counties, N.J., for 150 days. Supporting shipper: George A. Hormel & Co., Post Office Box 800, Austin, Minn. 55912. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 346 Broadway, New York, N.Y. 10013.

No. MC 52709 (Sub-No. 297 TA), filed October 25, 1967. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo. 80216. Applicant's representative: Eugene Hamilton (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, serving the new plantsite of American Telephone and Telegraph Co. Coaxial Building in Platte County, Wyo., about 22 miles southwest of Wheatland, Wyo., on Wyoming Highway 34, in connection with carrier's operations in Wyoming. Also between Wheatland and said plantsite over irregular routes; for 150 days. Supporting shipper: Renolds Electrical & Engineering Co., Inc., Post Office Box 9323, Denver, Colo. 80209. Send protests to: District Supervisor Charles W. Buckner, Interstate Commerce Commission, 2022 Federal Building, 1961 Stout Street, Denver, Colo. 80202.

No. MC 64932 (Sub-No. 440 TA), filed October 27, 1967. Applicant: ROGERS CARTAGE CO., 1439 West 10th Street, Chicago, Ill. 60643. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Resin Plasticizer*, in bulk, in tank vehicles; from the plantsite of the United States Steel Corp., Chemical Co., at or near Neville Island, Pa., to the plantsites of Monsanto Co. in the St. Louis, Mo.-East St. Louis, Ill., commercial zone as defined by the Interstate Commerce Commission; for 180 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 66562 (Sub-No. 2269 TA), filed October 24, 1967. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. 10017. Applicant's representative: William H. Marx (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* moving in express service; between Philadelphia, Pa., and Newark, N.J.; (1) From Philadelphia over U.S. Highway 1 to New Brunswick, N.J., thence over New Jersey Highway 18 to Exit 9 of New Jersey Turnpike, thence over New Jersey Turnpike to Newark, and return over the same route; (2) from Philadelphia over Interstate 676 to junction New Jersey Interstate 295, thence over New Jersey Interstate 295 to New Jersey Highway 73, thence over New Jersey Highway 73 to entrance No. 4 of New Jersey Turnpike, thence over New Jersey Turnpike to Newark, N.J., and return over the same route, for 150 days. Supporting shippers: There are approximately (16) statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Applicant intends to tack with its existing authority. Send protests to: Stephen P. Tomany, District Supervisor, Interstate Commerce Commission, Bureau of Operation, 346 Broadway, New York, N.Y. 10013.

No. MC 87113 (Sub-No. 9 TA), filed October 25, 1967. Applicant: WHEATON VAN LINES, INC., 2525 East 56th Street, ZIP 46220, Indianapolis, Ind., Post Office Box 55191, ZIP 46205. Applicant's representative: Alan F. Wholstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission; between points in Hawaii, restricted to the

handling of traffic originating at or destined to out-of-State points, for 180 days. Suporting shippers: Chicago Bridge & Iron Co., 901 West 22d St., Oak Brook, Ill.; Libby, McNeill & Libby, 200 South Michigan Avenue, Chicago, Ill.; Radio Corp. of America, Camden, N.J. 08102. Send protests to: Bureau of Operations, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 109689 (Sub-No. 185 TA), filed October 26, 1967. Applicant: W. S. HATCH CO., 643 South 800 West Street, Woods Cross, Utah 84087, Post Office Box 18525, Salt Lake City, Utah 84110. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum crude oil*, in bulk, in tank vehicles; from the terminal of Phillips Pipe Line Co., approximately 7 miles south of Robertson, Uinta County, Wyo; to the plantsite of Phillips Petroleum Co., Woods Cross Refinery, West Bountiful, Utah, for 180 days. Supporting shipper: Phillips Petroleum Co., Supply and Transportation Department, Transportation Division, Bartlesville, Okla. 74003. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah 84111.

No. MC 116014 (Sub-No. 33 TA), filed October 27, 1967. Applicant: OLIVER TRUCKING COMPANY, INC., Post Office Box 53, Winchester, Ky. 40391. Applicant's representative: Louis J. Amato, Central Building, 1033 State Street, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Finished and unfinished railroad ties*, from the the plantsite of the Treated Wood Products Co., Louisville, Ky., to points in Illinois, Indiana, Michigan, Ohio, Wisconsin, West Virginia, Pennsylvania, Kentucky, and Tennessee; and *laminated wood products*, from Laurel County, Ky., to points in Illinois, Indiana, Michigan, Ohio, Pennsylvania, Kentucky, Tennessee, Alabama, West Virginia, and Virginia, for 180 days. Supporting shippers: Fred B. Mewhinney, President, Gillis & Co., 134 Breckenridge Lane, Post Office Box 7091, Louisville, Ky. 40207; Glen Chaney, Partner, Chaney Lumber Co., Post Office Box 479, London, Ky. 40741. Send protests to: R. W. Schneiter, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 207 Exchange Building, 147 North Upper Street, Lexington, Ky. 40507.

No. MC 123766 (Sub-No. 5 TA), filed October 27, 1967. Applicant: D & O TRANSPORT, INC., 214 South Fourth Avenue, Yakima, Wash. 98901. Applicant's representative: Douglas A. Wilson, Suite 2, Yakima Legal Center, 303 East D Street, Yakima, Wash. 98901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boxes, fiberboard, paper, or pulp board*, in bags, cases, or bundles, and *partitions or interior packing forms*, fiberboard, paper, or pulp board, flat or nested in bundles, between Longview, Wash., on the one hand, and points in Idaho, on the other hand, for 180 days. Supporting shipper: Longview Fibre Co., Longview, Wash. 98632. Send protests to: S. F. Martin, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg. 97204.

No. MC 126195 (Sub-No. 5 TA), filed October 25, 1967. Applicant: MERCHANTS PICKUP AND DELIVERY SERVICE, INC., 715 South Church Street, Burlington, N.C. 27215. Applicant's representative: Carl B. Coley (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail mail-order houses, limited to contract with Avon Products, Inc.; between Burlington and points in Alamance, Caswell, Chatham, Davidson, Davie, Forsyth, Guilford, Montgomery, Moore, Orange, Randolph, Rockingham, Stokes, Surry, and Yadkin Counties, N.C., for 180 days. Supporting shipper: Avon Products, Inc., Newark, Del. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 10885, Cameron Village Station, Raleigh, N.C. 27605.

No. MC 126822 (Sub-No. 20 TA), filed October 25, 1967. Applicant: PASSAIC GRAIN AND WHOLESALE COMPANY, INC., Post Office Box 23, Passaic, Mo. 64777. Applicant's representative: Warren H. Sapp, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides and pelts*, processed and partially processed; from Joplin, Mo., points in the Kansas City, Mo.-Kans., commercial zone, and Springfield, Mo.; to Wilmington, Del.; Berwick, Dover-Foxcroft, Hartland, South Paris, and Saco, Maine; Danversport, Peabody, Salem, and Woburn, Mass.; Dover, Lebanon, Manchester, Merrimack, Nashua, and Pennacook, N.J.; and Gloversville, N.Y., for 150 days. Supporting shipper: Bert Lyon & Co., 100 West 12th Street, Kansas City, Mo. 64101. Send protests to: H. J. Simmons, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 110 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 129449 (Sub-No. 1 TA), filed October 27, 1967. Applicant: OWENS AND ASHER, INC., 306 Northwest Fifth Street, John Day, Oreg. 97845. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Oreg. 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Veneer*, from Mount Vernon, Oreg., to points in Idaho, for 180 days. Supporting shipper: Astoria Plywood, Plant No. 2, Mount Vernon, Oreg. Send protests to: S. F. Martin, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg. 97204.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-13063; Filed, Nov. 3, 1967; 8:48 a.m.]

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